

An Interview with
CARL and DEL HAAS

An Oral History conducted and edited by
Robert D. McCracken

Nye County Board of Commissioners
Nye County, Nevada
Tonopah
1992

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Carl and Del Haas, 1995

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PREFACE

The Nye County Town History Project (NCTHP) engages in interviewing people who can provide firsthand descriptions of the individuals, events, and places that give history its substance. The products of this research are the tapes of the interviews and their transcriptions.

In themselves, oral history interviews are not history. However, they often contain valuable primary source material, as useful in the process of historiography as the written sources to which historians have customarily turned. Verifying the accuracy of all of the statements made in the course of an interview would require more time and money than the NCTHP's operating budget permits. The program can vouch that the statements were made, but it cannot attest that they are free of error. Accordingly, oral histories should be read with the same prudence that the reader exercises when consulting government records, newspaper accounts, diaries, and other sources of historical information.

It is the policy of the NCTHP to produce transcripts that are as close to verbatim as possible, but some alteration of the text is generally both unavoidable and desirable. When human speech is captured in print the result can be a morass of tangled syntax, false starts, and incomplete sentences, sometimes verging on incoherence. The type font contains no symbols for the physical gestures and the diverse vocal modulations that are integral parts of communication through speech. Experience shows that totally verbatim transcripts are often largely unreadable and therefore a waste of the resources expended in their production. While keeping alterations to a minimum the NCTHP will, in preparing a text:

- a. generally delete false starts, redundancies and the uhs, ahs, and other noises with which speech is often sprinkled;
- b. occasionally compress language that would be confusing to the reader in unaltered form;
- c. rarely shift a portion of a transcript to place it in its proper context;
- d. enclose in [brackets] explanatory information or words that were not uttered but have been added to render the text intelligible; and
- e. make every effort to correctly spell the names of all individuals and places, recognizing that an occasional word may be misspelled because no authoritative source on its correct spelling was found.

ACKNOWLEDGMENTS

As project director, I would like to express my deep appreciation to those who participated in the Nye County Town History Project (NCTHP). It was an honor and a privilege to have the opportunity to obtain oral histories from so many wonderful individuals. I was welcomed into many homes — in many cases as a stranger — and was allowed to share in the recollection of local history. In a number of cases I had the opportunity to interview Nye County residents whom I have known and admired since I was a teenager; this was especially gratifying. I thank the residents throughout Nye County and southern Nevada — too numerous to mention by name — who provided assistance, information, and photographs. They helped make the successful completion of this project possible.

Appreciation goes to former Nye County Commission Chairman Joe S. Garcia, Jr., and former Commissioners Robert "Bobby" N. Revert, and Pat Mankins, who initiated this project. Mr. Garcia and Mr. Revert, in particular, showed deep interest and unyielding support for the project from its inception. Thanks also go to Richard L. Carver, Barbara J. Raper, Dave Hannigan, Cameron McRae, Joe Maslach, and Ira "Red" Copass, who subsequently became commissioners and continued the project with enthusiastic support. Stephen T. Bradhurst, Jr., planning consultant for Nye County, gave unwavering support and advocacy of the project within Nye County and before the State of Nevada Nuclear Waste Project Office and the United States Department of Energy (DOE); both entities provided funds for this project. Thanks are also extended to Mr. Bradhurst for his advice and input regarding the conduct of the research and for constantly making himself available as a sounding board as methodological problems were worked out. In 1993, Les W. Bradshaw replaced Mr. Bradhurst as project supervisor, and continued to provide strong backing. This project would never have become a reality without the enthusiastic support of the Nye County commissioners, Mr. Bradhurst, and Mr. Bradshaw.

Jean Charney served as administrative assistant, editor, indexer, and typist throughout the project. Her services have been indispensable. Louise Terrell provided considerable assistance in transcribing many of the oral histories; Barbara Douglass, Adam Karpel, and Elizabeth Townsend also transcribed a number of interviews. Transcribing, typing, and indexing were provided at various times by Cynthia Tremblay, Jodie Hanson, Connie Oehring and Bobette Host. Jared Charney contributed essential word processing skills. Maine Hayes, Michelle Starika, Anita Coryell, Michelle Walsh, Lindsay Schumacher, and Jodie Hanson shouldered the herculean task of proofreading the oral histories. Gretchen Loeffler and Bambi McCracken assisted in numerous secretarial and clerical duties. Phillip Earl of the Nevada Historical Society contributed valuable support and criticism throughout the project. Much deserved thanks are extended to all these persons.

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— Robert D. McCracken
Tonopah, Nevada
November 1992

INTRODUCTION

Historians generally consider the year 1890 as the close of the American frontier. By then, most of the western United States had been settled, ranches and farms developed, communities established, and roads and railroads constructed. The mining boomtowns, based on the lure of overnight riches from newly developed lodes, were but a memory.

Although Nevada was granted statehood in 1864, examination of any map of the state from the late 1800s shows that while most of the state was mapped and its geographical features named, a vast region — stretching from Belmont south to the Las Vegas meadows, comprising most of Nye County — remained largely unsettled and unmapped. In 1890 most of southcentral Nevada remained very much a frontier, and it continued to be so for at least another twenty years.

The great mining booms at Tonopah (1900), Goldfield (1902), and Rhyolite (1904) represent the last major flowering of what might be called the Old West in the United States. Consequently, southcentral Nevada, notably Nye County, remains close to the American frontier; closer, perhaps, than any other region of the American West. In a real sense, a significant part of the frontier can still be found in southcentral Nevada. It exists in the attitudes, values, lifestyles, and memories of area residents. The frontier-like character of the area also is visible in the relatively undisturbed quality of the natural environment, much of it essentially untouched by humans.

A survey of written sources on southcentral Nevada's history reveals some material from the boomtown period from 1900 to about 1915, but very little on the area after around 1920. The volume of available sources varies from town to town: A fair amount of literature, for instance, can be found covering Tonopah's first two decades of existence, and the town has had a newspaper continuously since its first year. In contrast, relatively little is known about the early days of Beatty, Amargosa Valley, and Pahrump. Amargosa Valley has never had a newspaper; Beatty's independent paper folded in 1912. All three communities received only spotty coverage in the newspapers of other communities from then until the present, although Beatty had the Beatty Bulletin, published as a supplement to the Goldfield News, between 1947 and 1956. Pahrump's first newspaper did not appear until 1971. Consequently, most information on the history of southcentral Nevada after 1920 resides in the memories of individuals who are still living.

The Nye County Town History Project (NCTHP) represents an effort to systematically collect and preserve information on the history of Nye County. The centerpiece of the NCTHP is a large set of interviews conducted with individuals knowledgeable on local history. Interviews were obtained from individuals familiar with those Nye County communities that are the subject of the NCTHP. Each interview was recorded, transcribed, and then lightly edited, preserving the language and speech patterns of those interviewed. The final form of each interview was then approved by the interviewee, and an index to each volume was prepared. The oral histories have been conducted with the intention that they will be archived and available to historians and others for generations to come.

All oral history interviews have been printed on acid-free paper and bound and archived in Nye County libraries, the Special Collections Department at the James R. Dickinson Library at the University of Nevada at Las Vegas, and at other archival sites located throughout Nevada.

The interviews vary in length and detail, but together they form a never-before-available composite picture of each community's life and development. The collection of interviews for each community can be compared to a bouquet: Each flower in the bouquet is unique — some are large, others are small — yet each adds to the total image. In sum, the interviews provide a composite view of community and county history, revealing the flavor of life and events for a part of Nevada that has heretofore been largely neglected by historians.

Collection of the oral histories has been accompanied by the assembling of a set of photographs depicting each community's history. These pictures have been obtained from participants in the oral history interviews and other present and past Nye County residents. In all, more than 700 photos have been collected and carefully identified. Complete sets of the photographs have been archived along with the oral histories.

Using the oral histories as well as existing written sources, histories have been prepared for the major communities in Nye County. These histories have also been archived.

The town history project is one component of a Nye County program to determine the socioeconomic impact of a federal proposal to build and operate a nuclear waste repository in southcentral Nye County. The repository is to be located inside a mountain (Yucca Mountain) and it will be the nation's first, and possibly only, permanent disposal site for high-level radioactive waste. The Nye County Board of County

Commissioners initiated the NCTBP in 1987 in order to collect information on the origin, history, traditions and quality of life of Nye County communities that may be impacted by the repository. If the repository is constructed, it will remain a source of interest for hundreds, possibly thousands, of years to come, and future generations will likely want to know more about the people who once resided at the site. And in the event that government policy changes and a high-level nuclear waste repository is not constructed in Nye County, material compiled by the NCTHP will remain for the use and enjoyment of all.

--RDM

This is Robert McCracken talking with Carl and Del Haas at their home on the Wine Glass Ranch, Smoky Valley, Nevada, July 13, August 12, and September 14, 1992

CHAPTER ONE

RM: What is your name as it reads on your birth certificate?

CH: Carl Vernon Hass, Jr. [although I use the alternate spelling, Haas].

RM: And when and where were you born?

CH: Dallas, Texas, July the 8th, 1929.

RM: And what was your father's name?

CH: Carl, Sr.

RM: Do you know when and where he was born?

CH: He was born in Ducktown, Tennessee, I believe in September 1904. It was called Hanging Dog, Tennessee, in 1904, and it later changed its name to Grandview.

RM: What part of Tennessee is this?

CH: I can't remember. We were there when I was 6 or 7 or 8 years old, but I think it was in the western portion.

RM: What was your father's occupation?

CH: For the most part he was on heavy-duty construction and a mechanic on Cats and trucks and all that. He had done ranching as well, but professionally I think for the most part, from a very early age, he drove trucks or did other things in and around construction more than he did anything else.

RM: And what was your mother's maiden name?

CH: Jewel E. Connor.

RM: And when and where was she born?

CH: She was born April 21st, 1908, in Missouri. I can't remember the name of the little town.

RM: How did they wind up in Texas?

CH: They were passing through. They had been living out West here and they went back East. In fact, they went back to Tennessee and North Carolina to see their parents' birthplaces and so on, and I was born on the way back — they stopped over in Dallas. By the time I was old enough to know anything I was mostly back here in Nevada. But with these construction jobs, we lived in most of the western states. I never spent one full year in any one school in my life until I went to the university. We spent the grade school years mostly around construction camps in Arizona, New Mexico and California.

RM: Are there any notable projects that he worked on that might be worth mentioning?

CH: Oh, mostly roads and airports — almost everything. In his later years he did do some interesting things. My mother and father were divorced in about 1946 — I graduated from high school in Tonopah in 1946, so it must've been somewhere around that time. After that he did spend a lot of time in Latin America and Mexico and South America and so on, working in the mines and construction of dams and other construction work. RM: How did you end up going to high school in Tonopah?

CH: We had been living in Southern California, and then my dad came to Nevada and went to work in a mine at Montgomery Pass. My first and only year in Tonopah High was my senior year, beginning in the fall of 1945. My dad and mother bought me an open-top Model A Ford, and I drove to Tonopah to high school every day, 60 miles one way. That turned out to be quite an experience. I earned straight As and was written up in the newspaper.

RM: I'll be darned. How long did you live at Montgomery Pass?

CH: Let's go back. My dad had been in Millers flat by Lone Mountain somewhere around 1915, I understand, and he kept a friend there for all those years, Barney Manor — S. H. (Samuel Houston) Manor [pronounced Maynor]. Barney lived in Millers all those years.

RM: Did he work in the mills there?

CH: No, on the railroad. The T & G [Tonopah and Goldfield] Railroad came from Mina through Millers, and he lived in one of those section camps. We'd go and see him quite often. My first recollection of Smoky Valley was then. Our folks oftentimes would leave my sister Yvonne and myself (there were just the 2 of us) alone with Barney.

I remember that we were there listening to the radio on December the 7th, 1941. That's one thing that made an impression; you see, I was about 12. Millers flat was my first recollection of any of Smoky Valley.

Now jumping back to fall of 1945, my father had a job and we came back, so I graduated from Tonopah High. I came in a month or two late, just so we didn't break my record of not having been in one school an entire year. [Chuckles] I entered school by October or November, finished the year and graduated from Tonopah High School in 1946.

RM: What was Millers like when you were there in the early '40s?

CH: It was pretty well run down then; it was really bad.

RM: What was there?

CH: Nothing much. It was mostly abandoned; just buildings and an old mill, and sand. We didn't live in the little town of Millers. We lived a mile or two down the track, at the section foreman's house, which was Barney's. They finally abandoned the railroad in 1951, but for 20 or 30 years before that, Barney also had a little ranch; he ran a few cows out there on the desert. That was my original connection with the RO Ranch in Smoky Valley. When the Rogers family came down there to winter they stayed in his place, so he began to run a few cows. As a young man, when I came there I got to know Barney well and we were good friends. That's how I wound up in Smoky Valley.

I graduated from school and went to work as a cowboy for him April 1st, I believe it was, 1948. Because he was a ranch foreman for the RO, I worked for the RO

RM: Because their cows were kind of mingling and so on?

CH: Yes, the RO cows would winter down there, so I knew them pretty well. That brings you up through my graduation from high school. Then [the next part of my life] has been written a couple of times. One little story that has been written about this period of my life is pretty nice, I think — it's in *Cowboy and the West: A Quarterly Journal of History*, University of Arizona Press, Winter 1962. At the University of Arizona they were looking for somebody who had built a cattle empire in this century, and I was going to school there at that time. It talks about the RO and so on.

RM: I see — it's called "Cowboy's Lament," on page 357. And it's written again in another source?

CH: Well, there's another book called *The Fiddleback* — I don't know if we've got it. It's a collection of stories from this period of time, mostly about the RO and Smoky Valley and myself. *The Fiddleback* was a change in name by the author; it was really the RO, but he was afraid of lawsuits, I think, so he did that. The other book is called *The Leather Throne*, by Owen Ulph. It's published by Dream Garden Press, dated 1984, Salt Lake City. *The Fiddleback*, [also by Ulph], has some pretty good stuff in it.

DH: Yes, that's very good.

CH: The first little story talks about the things we just talked about; going to school, finishing and putting the RO empire together. And then the other is sort of a novel that he created. And I never cared for it, so I never finished it. I don't like all the filthy language; we just didn't talk that way.

RM: There wasn't a lot of cussing, then?

CH: Not in front of women and children, and rarely among ourselves. We did what we called "cuss," but cussing is a heck of a lot different than filthy language or foul language.

RM: What would cussing consist of?

CH: "Goddam it," and "son of a bitch" — every other word was that, except Barney; he never said one swear word in his life. It was "dadgum it." [Laughter] For the most part, we did not ever talk low or foul, or use filthy language; never at all. We just didn't do it. And then a lot of Ulph's characters are distorted.

But it's essentially the story of the RO and the time [the author] spent here. He was a professor at Reed College at Portland — I had met him at the University of Nevada. He came down and rode with us for a little while and then he started writing those stories.

RM: When you started with Barney, were you skilled on a horse?

CH: As a very young person, I guess you'd have to say I rode quite a bit. I did a lot of riding, but not as a professional cowboy.

RM: Give me a little background on Barney.

CH: [Chuckles] He came from south Texas, somewhere near Houston. As I said, his name was Samuel Houston Manor. He came out west and wound up down in Death Valley somewhere. It was there that he was nicknamed Barney, when Barney Oldfield won whatever world record it was, somewhere around 1912 or '15.

RM: Barney Oldfield made a speed record, didn't he?

CH: Yes. But Barney Manor had been a mechanic and somehow he gravitated to Death Valley, and Goldfield, Tonopah, Millers and then went to work for the railroad. He spent the rest of his life right there on that little line shack on the railroad.

RM: So he worked for the railroad and ran a few cows on the side. Where was he watering the cows?

CH: There's some live water down the track.

RM: By "live water" you mean .

CH: Running water. Smoky Valley drains that way, and you'll see where it rises at certain occasions — seeps and potholes and this and that and the other. And there were 2 or 3 windmills. The Rogers family helped participate and put in a few of those. They dug out a few springs and windmills. Barney had a couple of hand-dug wells with pumps on them.

RM: Was there pretty good feed down that way?

CH: The feed was fair. It had its tough times, various droughts and hard winters. The big one was 1889, I guess. The most Barney ever ran was probably 150 head of caws. And then the Rogers would come down there and winter on the desert as well.

RM: What kind of cattle was he running?

CH: A little of everything — whatever he could get ahold of. I bought Barney out.

RM: Was he the first one you bought out?

CH: No. I bought out Emma first. I always talk about Emma — her name was Emma Rogers — "Miss Rogers," or "Miss Emma," everybody called her. She and her brothers and sisters owned the RO Ranch; she owned the controlling interest.

RM: Could you give a little background on the RO — how it got started and all that?

CH: It was started by a man by the name of John L. Smith. We have the original records here. John L. Smith came around the Horn probably in the spring of 1863, between '62 and '63. He came into Virginia City and around here and there, and he wound up in Austin, and from there he went to Ophir. I can only conjecture that he was probably a little too late . . . some of these mining claims had been pretty well used by the time he was there. By that time it was probably the winter of '62 and the spring of '63.

John L. Smith staked out the [RO Ranch] land under a possessory right claim. The concept of the law provided for protection for possessory rights. You know, we [Nevada] went in the Union in '64. In '65 the legislature convened. Of course, they couldn't give you title to land as such. (There were many complicated ways you could acquire title.) But one thing they could do, and did do, was protect your possession. (I have the act here somewhere; it's buried in some of these law books. We've had to research all of that, because our professional field is in water rights now, after having spent a lifetime in ranching.) But the 1865 act made it possible for you to put 4 monuments on approximately 160 acres per person.

RM: The corners.

CH: The corners. And live on it. And if you could do so, then your rights to possession were protected.

RM: And you could transfer those rights, couldn't you?

CH: You bet. And we have documents — beautiful, intricate documents; you've seen them, I'm sure. Of course they did that because of the tremendous demand for milk, eggs, corn and other foods by the miners. They made more money in those days than they do now in ranching. [Laughs]

RM: Their products were worth more than the ore the miners were digging. [Laughs]

CH: That's right. A buck for a loaf of bread, \$50 for a dozen eggs or something — that was big money. At any rate, John L. Smith came around the Horn and — some of this is conjecture — I would assume that, having been unsuccessful in staking a good claim, he went down on the flat and stuck his stake in the ground and located 160 acres.

RM: Was he the first to do that?

CH: He was one of the first. We can give you the history [of the valley] starting at the north end and running clear through the end of the valley — almost every ranch, now. (We haven't completed them all.) I think the birth of Smoky Valley begins, however, with the stories of John L. Smith. You've done one heck of a lot of background work, it looks like to me, Bob, but it might be kind of new to you to learn how Smoky Valley was founded and discovered. We're talking about settlement, now.

RM: Right; not Fremont and other explorers coming through and all that.

CH: Fremont and all those boys who came through here were just passing through. But when the settlement occurred, it occurred 2 ways. One was when the Forty-niners went through on their way to California and settled. They had a few little towns at the base of the foothills.

[The second involved] the Mormon settlements in the 1850s at the base of the Sierras. Then they started back, and it wasn't till Virginia City was discovered, in approximately '59, when the influx starts coming back again from California. You see, after the gold rush, then boom! — Virginia City. So they come back to Virginia City in '59.

And then Austin opens in '62. It was discovered in '62. The real flood of people would have been somewhere around mid-winter '62 to early '63. They came out to Austin and what did they do? As soon as they came out and [found that] some of the best claims had been staked, they started going in all directions. They started up Reese River Valley, and it was just one find right after another. Of course, our experience with history is ranching and farming, but it's interconnected with the mining.

RM: Sure; they're related.

CH: Most of the people we researched were also partly miners, or they made money in mining, or they were connected [to mining]. So they'd prospect and stake their claim. They staked up and down Reese River, and then back to Austin and then into Ruby Valley, to Fort Ruby; Fort Ruby was active at this time. After Fort Ruby, the miners traveled east to the Pahranagat, and then down Smoky Valley.

Almost everybody thinks that Smoky Valley was founded out of that influx that was back through Virginia City. Well, that isn't the case. Even before [Virginia City] there was a trail from Mono, California. It came through from Mono into Aurora and Bodie, and then into Cloverdale and San Antone in Smoky Valley through this southern direction.

RM: The trail came across to San Antone from Mono?

CH: Yes, to the Liberty Mine just south of the San Antone Ranch. But this trail happened prior to Austin. That's what's so strange about it.

RM: Oh — like about 1860?

CH: It had to have been about '60, because when these folks arrived in southern Smoky Valley in '62 and '63 there were 300 Mexicans already working at Liberty Mine.

RM: What year was that?

CH: Now, this is where we're going to get fuzzy. We haven't finished [researching] this one section. The first document that we have on the south end [of the valley] shows somewhere around 1864, but I have to look up Peavine, San Antone and Cloverdale. The first document shows that Cloverdale was a way station on the road from Mono to Belmont, but this document was not written until 1864 or 1865.

RM: Now, where's Cloverdale?

CH: Right around the point from San Antone. The trail itself came from the Mono Lake area, in through there — Bodie, Aurora, then Cloverdale, and then San Antone and then over the pass and then later into Belmont. All those documents reflect the fact that these settlers had been there. And we know them by their first names.

I researched back to '63, and couldn't find any more documents. I can find them referred to and I can find some previous people being talked about, but I couldn't find anything.

RM: This was the Utah Territory, then, too, wasn't it? It was before Nevada attained statehood.

CH: Right. But they had still formed counties, even though this was a territory. They actually had counties, and each county had a county seat. You'd think that they'd have to have a state; not at all. So there were formal county governments here.

So [the information] we get is piecemeal. We finally stumbled into some real facts. To repeat: There was a road from Mono to Bodie, Bodie to Aurora, Aurora to . . . well, I don't even think Rawhide had been founded yet; I'm not sure now about Rawhide. But then Cloverdale, to San Antone and Liberty and only later on through to Belmont.

RM: Where did it lead to from Mono?

CH: It came from California.

RM: From Southern California, or northern?

CH: Internal California; the Central Valley. And there's no connection between that and the Virginia City group. That's why I think it's so fascinating.

RM: Oh — there's no Virginia City connection with this.

CH: Not at all in the early days. [But to continue] — by 1862, they couldn't tell where the county line was, so Aurora was the county seat of 2 counties. It was the county seat of Esmeralda County for Nevada, and it was also the county seat for Mono County in California. They literally had a line across the street; you had 2 judges, 2 sheriffs, 2 everything else. Well, we had run into a complete blank wall — we couldn't find the [earliest] records for Cloverdale. We were interested in the water rights at Peavine and Cloverdale Canyon, and the ranches involved [and we had to find out] where these people came from. We'd find references, and [we found some for] the Liberty Mine, which is right around the hill. In fact, that's the big Anaconda location now.

They raised some money for one year, to survey where they thought the Esmeralda County line was. Then the second year they raised some more money. I think [Nevada] put up about \$500 and California put up \$5000. Anyway, they finally finished the survey by September of 1863 — the survey came down from Lake Tahoe.

RM: Sure. That was that diagonal border they had so much trouble with.

CH: Yes. So they finally decided, "Lo and behold, Aurora is in Nevada." So what happened? The Californians picked up all the books during the middle of the night, threw them in a wagon and took them to Bodie. Remember, they had 2 sets of everything. They took them all to Bodie, and they stayed there a year and then went to Bridgeport. We followed them to Bridgeport. Del and I have flown over there and we've gone through the records.

It's a longer story, but the fundamental thing is that we found a lady now who has given us permission to go into her father's garage and find some old books, because some of the early Nevada books are missing. We have found some, but some of them are missing. We heard that her father, who was an assessor/recorder, wound up storing some books that the county was going to throw away in the dump or something. We think we've got access to these early records, but I don't know yet.

RM: And this will be the early records for the California part of it?

CH: Yes, but it will include the Nevada part — Esmeralda County. Everyone evidently thought it was California, but when they took the California-area books to Aurora, they picked up ours (Nevada's), too. The daughter of the former assessor/recorder is very busy but said we could meet her soon and go through some of her father's old books. Del and I would just love to go through her father's old paperwork and dig around. She did find a couple of old mining records. Those records should tell us pretty much who did what, at least from September 1863 backwards, probably clear into 1862 and maybe '61, and, who knows, maybe into '60. No matter what it is, it's going to tell us that they were as early as, or earlier than, Virginia City. It would be worth playing with that theory and see what can be done.

RM: That's fascinating.

CH: Now when you're talking about Smoky Valley you have 2 pioneering efforts coming in from both ends. That's the real beginning of Smoky Valley.

RM: So you've got a southern influence and northern influence, and the southern influence may predate the northern influence.

CH: I'm sure it does. But you know how research is; every once in a while you get carried away with a theory, so you'd better spill a little more blood.

By the way, we're trying to rundown the history of Esmeralda County and Goldfield has nothing. We also went to Hawthorne and other places. It was Esmeralda County then, and later it was spun off into Nye [County]. But you know in the very early days Esmeralda County started somewhere around Lake Tahoe and went clear to Las Vegas.

RM: Yes, it went clear to the Arizona Territory.

CH: And at that time Lander County was very large. So when Nye County was formed out of Esmeralda, it took a little piece of Lander, in 1865. In October 1865, I believe, Nye County came on board by taking a piece of Lander and a piece of Esmeralda.

CHAPTER TWO

RM: Is the Liberty area the earliest area of occupation?

CH: I would say San Antone-Cloverdale-Liberty, yes.

RM: To your knowledge, what is the earliest date there now?

CH: My knowledge is not as good as my guesswork. [Chuckles]

RM: What's your guess?

CH: Probably 1859. No later than '59 or '60.

RM: Was it Mexicans?

CH: That's what throws me. In the course of all these studies and searches, I'm fascinated by the fact that when you start stumbling into something, you run across a Mexican. We know there were Mexicans who came with our settlers when they came back from California. But there's an uncanny number of Mexicans. Of course, the Treaty of Guadalupe was in 1848. We know the Spaniards or Mexicans, whatever you want to call them, were all over this area. The Spaniards themselves first; almost what you'd call a true Spaniard - Conquistador - but then later the Mexicans. There are arrastras all over the Smoky Valley area.

RM: You believe the stories about these arrastras?

CH: Oh, I've seen them. And Las Vegas was clearly Mexican-founded prior to even the Mormons. Just where those Mexicans stopped and we intermingled with them I don't know, because they didn't evaporate in 1848. There had to be a few of them, some prospectors or somebody around. And I think that Liberty could have been part of that continuing Mexican operation. I cannot prove that, but we'll probably be able to document it before long. What [document] have we got here? Oh, this is San Antone, yes. Stevens filed the first map there in December 1863.

RM: And that's the earliest map that you have found?

CH: That's about the earliest one that we've found, yes.

RM: And what was it a map of?

CH: This was agricultural land, again. To run a search for water rights, we start with a patent and then go back chronologically from the patent. This was 640 acres of agricultural land; it was

known as Indian Springs in those days, and it later became San Antone. (And W. L. Stevens might have been Dave Stevens's father.) It was surveyed in December 1863 and it was on Peavine Creek. It crossed Peavine Creek. That in itself is a great story, what happened to San Antone. Even the book on mining — the Nevada ghost towns [book] and so on . . .

RM: Stanley Paher's?

CH; Yes, Stanley. He has some great stories. There was a 20-room hotel at San Antone; it was a way station.

RM: By what year?

CH: It was early. The Rigby brothers were from the East, I think, and they put a lot of money in the Rigby Silver Mining Company. What's confusing is, there wasn't much water at Liberty and there was water at San Antone. So I suspect that the Mexican workers at Liberty had something to do with staying at San Antone. But it was known as Indian Springs; that was its first name. Then they had a townsite there, they planned a town, but it fizzled. And then it goes on to a great story. DH: This is a mill; it talks about the mill.

RM: This is all predating, obviously, Tonopah, but it's also predating Austin and Eureka and those discoveries?

CH: Yes. Portions of it predate Austin and Eureka both.

RM: What was it about the Liberty-San Antone area? Did the ore stick out of the ground there, or what?

CH: There again, we'll have to look at Stanley Paher. He's pretty limited on Liberty, but he talks a lot about the way station and the hotel, and he has a nice picture of it. He took it years ago, when you could see it pretty well. Right now it's almost gone; you have to know exactly where to go to find it.

RM: Do you know how to get there?

CH: Oh, sure. But Stanley had a picture of it taken with some big trees there. I guess the rancher, Zimmermann, or somebody cut them down, because you can still see the stumps. Anyway, I think that's fascinating, because there's no question that it shows settlement there prior to December 1863.

RM: And it was the ore at the Liberty that was driving the whole thing, wasn't it?

CH: Probably.

RM: Because nobody's going to start a ranch there . .

DH: No. [Laughs]

CH: No way. They must have used that spot as kind of a way station or base from which to spread out. I assume that's probably how they discovered Belmont and some of these other outlying places. They may have gone up Reese River from there, but I can't find it. That's what it looked like [referring to the picture of San Antone]. As a young man, I remember seeing those trees in that part of that wash.

RM: You're showing me a picture of San Antone in Stanley Paher's book Nevada Ghost Towns and Mining Camps on page 360.

CH: I could [take you down there and] show you . .

RM: That would be fun.

CH: At any rate, for the moment we'll just have to say that everything we have shows that [San Antone] predates even Austin, which of course predicated anything else. And I suspect there wasn't anything at all between there and Las Vegas itself insofar as settlement.

RM: No, I don't think there was. You didn't get settlements between there and Las Vegas until the 1870s — in Oasis Valley out of Beatty, and then down at Pahrump; that was all in the '70s.

CH: And in the north, it comes back to those stories. We can complete the Rogers ranch story if you want to, now. We'll go back to Austin in 1862. They founded it, and by the winter of '62-'63 the influx of all the people coming in from Virginia City was over. And one of those people was John L. Smith, who had come around the Horn. I think we have an 1860 census on it, don't we? (When we want to confirm something, a lot of times we'll go to the Bureau of Statistics [census] in Carson City. It shows you where a person came from, how old the person is, who his parents and children were and so on. I can't remember whether Smith was from Ireland or Scotland.) John L. Smith settled the R.O property, probably having been unsuccessful in staking any claims at Ophir.

RM: Ophir was the going camp; yes. Were there any other camps in the range here besides Ophir?

CH: Oh, sure; plenty of them. Kingston was an active town by April of '63. All of them were almost at the same time. Those people would come and do their staking, as I told you, of 160 acres, and John L. Smith was one of those. He staked a piece of land below what we call the Four Canyons — Summit, Wisconsin, Ophir and Last Chance — and used the water from these canyons for irrigation. They're immediately north of Twin River. There were 2 ranches — the one out of Four Canyons to the north, and then the Twin River Ranch, adjacent on the south to the North Twin River Ranch and using the Twin River water. There was some involvement with others, but for the most part it was John L. Smith; he settled down and then bought out his

partners. By the year of the Chicago fire — I believe that was in '71 — he must've been pretty successful financially. He must've very rapidly had a good little farm with neat and milk and eggs and all that sort of thing, and was selling to the miners in Ophir. He made enough money to send for a mail-order bride.

RM: And what was her name?

CH: Her name was Catherine.

RM: Do you know her last name?

CH: I think we've got it; I'm not sure. Emma told me about her. Catherine was Emma's mother. Catherine left Chicago the same year as the fire; I believe it was '71. They met in Austin for the first time, married there and proceeded in a wagon through northern Smoky Valley, passing by the Charnock Ranch.

RM: What ranch was that?

CH: The Charnock Ranch. It lies directly east of the RO property. Richard Charnock was the founder of that ranch. So Catherine met John L. and they settled in that little possessory piece of ground that John L. must have made quite successful. Emma told me things about it briefly. Part of my interest comes from her; we'd sit around on long winter nights, with kerosene lamps, and she'd tell me these tales, so I became very interested.

I went to work for her as a very young man — I was only 16. I used to wash dishes and help her with the books and things for my Levi's and tobacco. We'd sit around in the middle of the night swapping tales . . . or, I was listening. [Laughter] She was very reluctant to talk about a lot of things, and it took her a long time to admit that her mother was a mail-order bride. It took me a long time to sort of get it all pieced together. But Catherine did marry John L. and arrived here in '71. Her first-born was a lady by the name of Lena — I'm guessing she was born around 1875 or '76. We have a census on Lena — that's her here [looking at a picture of Lena and Emma as teenagers].

DH: Lena's on the right.

CH: She was the first-born. But she would be a half-sister of all the rest; she was the child of John L. Smith and Catherine Smith. That's where it gets confusing, you see. And then John L. died.

RM: What did he die of?

CH: I don't know.

RM: Was he a young man or an old man?

CH: I can find out, because we have enough records on the census table; we also saw his [death certificate]. Remember, none of these lands were ever owned or acquired till many years later — I believe it was 1875.

But Catherine Smith was the executor to the will of the late John L. Smith — [the] first [to] acquire title. Once you get that you can trace things backwards. But let's say that roughly speaking by '75 she was still a widow. And they had filed papers by '75 to acquire title. There were different ways to acquire it — directly from the state of Nevada; in some cases for the school trade, in some of that 2 million acres; directly from the United States in homestead and so on. In this particular case they made that first filing and I think paid \$1.50 an acre.

She completed the title that John L. had obviously begun. So in just 4 short years he died, she was widowed and she was completing the title. The next thing we know of is that on February the 2nd, 1880 (that was Groundhog Day), Emma was born. And Emma was a Rogers. Somehow in between, William H. Rogers, who had been a worker on the Ophir mine, came down, obviously wooed Catherine, married her and in 1880 their firstborn, Emma, was born. After Emma was born there was Ben, then Billy, then Katie and then Harry. I just looked at some papers — I have affidavits on Harry; apparently Harry was [born in] '87. So you can see . . . '72 or something like that would've been Lena and '80 would've been Emma. Then Ben for sure, probably pretty close to Emma, like '81 or '82. And then Billy, in '82 or '83. And then I believe Katie was '83 or '84, something like that; and then Harry in '87. And those were their children. So that's the history of the Rogers family, and that was the beginnings of the RO Ranch.

Remember, too, they always called it the Rogers Ranch, but Catherine always owned it. William Rogers never owned everything. It was hers; her sole and separate property. So not until the death of Catherine did any title ever pass to the Rogers name.

RM: Oh, so the husband — Rogers — didn't participate in the ownership.

DH: That's correct.

CH: None whatsoever. In fact, in Rogers' decree of distribution there was no such thing; he didn't own anything.

RM: Did they have a prenuptial agreement, or how did that work?

CH: I don't know. [Laughter] He married into the money, anyway. [Laughter]

RM: Did the ranch expand under Catherine at all, or did it stay at 160 acres?

CH: It expanded to 650 acres.

RM: By what time?

CH: Almost immediately. Because what really happened, and the same happened at the Twin River Ranch and all of them . . . the 160 was a way for you to hold something. But remember, you then had your wife and your kids.

RM: And they each got 160.

CH: And maybe the hired help and everybody all put in a 160 for you. So you almost immediately gained control of multiples of 160. In this case there were 4 of them.

RM: And the land was contiguous? Was it prime land in the Smoky Valley? DH: This was virgin land.

RM: Was it the prime land,' or did somebody else get there ahead of Smith?

CH: There were 2 ranches together. The big one is the RO. The RO today consists of 2 ranches — the John L. Smith that we just talked about, which is the little 651 acres — and 3000 to 4000 acres at Twin River, which is the adjoining ranch. If you see them now, they're one ranch, but then there were 2 of them.

RM: When Smith came down, did he get the best of the land?

CH: No, not at all. In fact, his ranch was second best. The best land was on the Twin River Ranch. There were 9 men who staked that, probably within days.

RM: Within days of when Smith staked his?

CH: Within a week, probably. In fact, Smith was even involved in a part of the staking. Within days, 9 men went in and staked a big block of land. We have an interesting map on that. The one we're calling the Rogers Ranch for easy discussion grew and grew; its range finally went down into Millers flat. It became huge. I'm the guy who created the name "RO" They had the brand; the first 2 words in the brand were "R" "O."

But when I put the RO together, I put 7 ranches together. The first one I bought was immediately south of there — the Twin River Ranch. I just kept buying them all the way to Silver Peak, south of the Coaldale area. And now it's been expanded — the RO today covers 2 million acres.

RM: The RO is 2 million acres?

CH: Yes, including all the federal lands and everything else. It was about 1.2 million when I put it together.

RM: Do you still own the RO?

CH: Not at all. I'm an adviser to the owners. They live in California, and I fly their airplanes and do things for them they want me to do, [including] researching the water rights and things like that. And I do advise them on a lot of matters. I bought out the Rogers family in 1951 — that's when I first did it — and I was 21 then.

RM: How did you manage that? A 21-year-old buying a ranch is [rather unusual].

CH: I worked and saved some money. And I'd been a cow boss for Emma since I was about 18. The financing companies in those days were more concerned, I think, with experience and expertise than with balance sheets. Now when you go into a bank [to borrow money] you take in a balance sheet. And the more money you have, usually the more money you lose. In those days, though, they bankrolled me. I paid cash to the other brothers and sisters and Emma financed me. She financed me in part and Production Credit and others financed me because I was willing to live out here and run cattle [on a range] 100 miles long. Through a combination of those circumstances I was able to buy it, which probably couldn't happen today at all, because all I had was just a few dollars. The first 8 months I worked for Emma I didn't draw my payroll. I earned \$125 a month, but I did not draw any wages at all. My first check was \$1000.

RM: That was a lot of money.

CH: Oh, yes, in '48. But [I was able to buy it] mostly through the faith of the owners themselves, Emma Rogers particularly. Harry and Katie and Lena were still alive; Lena was back East, in Kansas.

RM: Was Emma the only one who stayed on the ranch?

CH: Ben and Billy stayed — just the 3 of them. That's how Emma acquired such a huge piece. They stayed and the old man, William Rogers, lost his mind. He buried a lot of uncirculated gold coins, which were found there after I sold out. They used to sell a bunch of steers and then hide their gold coins in a flour sack or something like that and bury them when they got home.

RM: And then he forgot?

CH: Either that or he had Alzheimer's or actual insanity of one form or another. He never told anybody, so the rest of the family didn't know. When I bought the ranch I never did a lot of searching, but after I sold it, they found 30 uncirculated \$20 gold pieces right in the back yard, buried in a flower pot.

When he lost his mind he went to Belmont somewhere around '15 to '20, and he stayed there. Emma stayed and took care of the mother, Catherine. And there's a sort of a sad love story. Lena fell in love with Jack Stebbins, who's a very famous name .

RM: Oh, sure, in the history of the gold discovery in Round Mountain. CH: I remember seeing one of her dance tickets from 1898, here in Round Mountain. You know how the women used to have the card where they'd put the men's names — number one through whatever. I remember Jack Stebbins was one of the men who danced with her, and Tasker L. Oddie was another. Emma had a secret love for Jack Stebbins.

RM: It was secret?

CH: Oh, yes. Very much so. He was a miner and he married her older sister, Lena, the half-sister that we talked about. Jack Stebbins and Lena made a lot of money in gold here. But they went back to Kansas and they bought a wheat farm there. And Emma never married. She never looked at another man the rest of her life; never thought of anyone else.

RM: Is that right? Was she an attractive woman?

CH: Yes. She was a huge woman — she had to be nearly 6 feet. My guess is, she was a much more handsome lady when she was older than when she was young. I would just guess that. She had this tremendous character — a wonderful way about her. You can see a picture of her there, and you can decide for yourself.

RM: Were her brothers and sisters large people?

CH: I never knew Ben or Billy. Now, remember, the question was had many people stayed on the ranch and so on. Emma, Ben and Billy stayed. Katie married and left and Harry went to San Francisco to work for a freight wagon company (he told me he was there at the time of the fire in 1906). Ben died of a burst appendix. In the meantime he had married Grace Anderson and they had the 2 children, Pete Rogers and Irene ["Rene" Rogers Zaval]. [When] Ben had the appendix [attack] I guess they put him in a wagon and tried to get him to town, and he died, I think, when he arrived. Billy, who was extremely close to Ben and never married, then committed suicide there at the ranch.

When Catherine died, she gave the big piece [of the ranch] to the 3 who stayed and she gave little or nothing to anyone else. Then Ben died and his family would get that, and then Billy, of course, so Erma wound up with the lion's share. By the time I bought her out, she had 12/15ths.

RM: How big was the ranch when you bought her out? The titled property?

CH: The acreage never changed at all; it was a very small base property — still only 650 acres, but the range was 120 miles.

RM: So she had the water rights and the range.

CH: Yes. This ranch [the Wine Glass] was part of the RO, and it was spun out at Ben's death.

RM: Ben's family moved down here, didn't they, off of the RO?

CH: I think they did.

RM: I think that's what [his son] Pete [Rogers] told me.

CH: I imagine Ben and Grace lived here, and I think Pete and Irene were born here. And then in the shuffle after Ben's death, they made a trade. The documents are all here, but this ranch and some of the cattle were spun out and given to them separately and Emma kept the RO

RM: So when you bought it, it was the RO Then you started acquiring these other properties.

CH: That's right; I put them all together.

RM: Tell me the properties you acquired, in the order that you did, and their size, approximately.

CH: OK. The [next] ranch I guess I bought was Twin River. You see, I only had the 650 acres, and all the range. Well, the ranch next door by that time belonged to John and Charlie Cavanaugh, whose names are well known in Tonopah. They had Twin River that they had acquired from Farrington, and that history also goes back to '63, with the 9 original founders. That ranch had about 4000 acres.

RM: So it was a big ranch.

CH: It was huge. And it had the Twin River water. We just had those 4 little canyons, and they had the whole Twin River, North and South Twin. That's why it was so big.

RM: And that was immediately south, right?

CH: Right; adjacent. It was unfortunate for them in a way that it was so huge --- 4000 acres --- because they didn't have a tendency to run [cattle] outside. They had little or no range, because they could make a nice living right there without having to go out and travel the range.

RM: How long after you bought the RO did you acquire the Twin River Ranch?

CH: Somewhere around 1953. I had been on the RO since 1951. I'm sorry, the next ranch would have been Barney Manor's, jumping clear down the flat again, to Millers. The RO had half of that range down there and Barney owned the other half. It was winter headquarters, with a few cattle, and quite a few water holes on the desert. The Rogers family had wintered down there with him, and he used to take care of the cow bossing. He was well connected with the Rogers family. In effect, when I bought out the RO, I bought a half-interest in his operation, so I just bought out the other half. I bought out the Rogers family in '51, and I also bought out Barney Manor in '51, probably. I bought the Twin River Ranch probably in '53, and then by '55 I'd purchased [the Wine Glass]. Even as a cowboy in the early days I rode all that country in common with all these other ranches. So when I thought about expanding, to see if I could make things work, I obviously wanted to acquire the ranches on the cattle trail, because we trailed our cattle all the way. It was a 100-mile trail between one and the other.

RM: Were these other ranches running their cattle in the same area?

CH: Yes, we were all running in common.

RM: And they were using your water and so on down there?

CH: Yes, we were all in common. Del found this document in the safe and was fascinated by it. That was my purchase of the Cloverdale Ranch. We were sitting in a pickup when we [did that transaction].

RM: You're showing me a framed document here, and it's your purchase of Cloverdale?

CH: That's correct.

RM: That's how you did it in those days?

DH: Right.

RM: I'll be darned — it's just a hand-written 5-page document. Del is showing me an agreement, hand-written, that was written out in a pickup on November the 30th, 1954, which involved the sale of the Cloverdale Ranch. So this was how things took place at that time.

DH: Right. And Davy was such a funny man. He always wanted to sell Cloverdale, and he would get an interested buyer to help him count the cattle, and then he would not sell the ranch. [Laughs] So Carl called his bluff, so to speak, and said, "Do you want to sell it? Let's draw it up right here." Of course, later Carl went in and did it more properly in a title company.

RM: His name was David A. Stevens?

DH: That's correct.

RM: And he lists what all is here, doesn't he?

DH: Oh, yes. He wanted to keep back some things, also. Let's see, "Excepting the following: 40 acres of patented ground at Camel Springs. And personal effects . . ." And this is really cute. Down here it says, "One horse called Pancho, big horse, and one crippled long yearling hoofer."

RM: [Chuckles] " . . . that is now on the ranch. One '36 Chevrolet pickup." Where is Camel Springs?

CH: It's over by Mina, on the east . . .

DH: It's west of the Cloverdale Ranch.

RM: They must have watered camels there.

CH: It's very possible.

RM: Supposedly they were using camels to bring in salt to San Antone; is that right?

CH: Yes.

DH: Oh; is that right? I didn't know that. Camel Springs is up in Lone Valley.

CH: Yes; you come over the top and down into the Grantsville area. It very well could have had a connection with the camels, I don't know. So that was the purchase from David A. Stevens. [Chuckles]

CHAPTER THREE

RM: Let's just finish up the ranches you bought. Was the Wine Glass Ranch the last one?

CH: Yes, I believe this was the last one. It was probably, then, '54 or '55 or '56. I think by '56 I'd put them all together.

RM: And did you buy it from Ben Rogers' estate?

CH: I bought it directly from Pete and Irene. Both of them had married by that time. Pete had married Mary already, and they lived here, and Irene had married Dan Berg and they lived up at the Berg ranch. But the 2 children still owned this ranch. Those documents are here. I don't remember the date, but somewhere between '51 and '56, and probably '54. RM: By '56 you were through with your expansion?

CH: I had acquired them and put them all together by then. I don't think I put anything together after '56. Once I got to a certain point, then I could borrow. I borrowed quite a bit of money.

RM: How much titled land did you have when you finished?

CH: I never did hold too much; probably not much more than 10,000 acres in fee, but about a million acres in range.

RM: Incredible. When did you sell it out?

CH: I sold the bulk of it in 1965. But I kept this ranch, the Wine Glass, and moved down here.

RM: Why did you sell?

CH: That's an interesting story. Originally I was the sole owner. After I bought in, in 1951, the market collapsed. I sold steers that fall, if you can believe it, at 33-1/2 cents a pound. And within a year they had fallen to 14 or something like that. It was just disaster. I backed up and looked around and, mind you, I was only 21. I'd had no experience, very little schooling . . . and everybody else was panicking. And the droughts came. I was neighboring with all these other ranches and most of them were panicky. A lot of them were owned free and clear, or they had been inherited and that sort of thing. But most of them wanted to sell out. I figured that the best thing to do at the bottom of the heap is to expand. I looked for different ways to expand, and I found a partner — a guy by the name of Howard Smits. He came up here looking to buy ranches.

RM: Where was he from?

CH: Los Angeles. We formed a partnership, which later became a corporation, called RO, Inc. He was a steel manufacturer. He made quite a bit of money down there in steel. So we formed this partnership. MY job at 22 or 23 was to start buying these ranches out.

RM: With him fronting the money and the credit?

CH: His corporation, Pacific Iron and Steel Corporation, loaned to our corporation. I owned a half-interest in our corporation, the RO. We bought the Twin River Ranch first, from Farrington — or Cavanaugh, by that time. As I said, Farrington had sold it to Cavanaugh, so I bought it from Cavanaugh.

Then my attorney, Gordon Shelly, came in and bought a minor interest in the corporation, and in time I retired his interest. Some years later, I sold some stock in the corporation to some people from Southern California — Tom Denman, who's still alive and still owns most of the Peavine Ranch. He lives down in the San Diego area — Alice and Tan Denman and Charlie Pearcy and Talfourd Winn, a group of people from the Imperial Valley.

RM: Were you cash poor? Was that why you sold?

CH: Yes. Good heavens, these holdings . . . Anyway, the aggregate total of those stockholders was 49 percent, and I still held a controlling interest — 51. (We had a board of directors by that time.) Well, somebody asked for an audit of the corporation, and they asked for an audit back to 1954, when it was incorporated.

I objected to the audit on the grounds that it costs too much money and takes so much time. And also, it predated their activities; they'd only been with me 2 or 3 years. But to refuse them would've probably been an indication that I had something to hide, so I couldn't do that, so I had to say, "All right." But there were 2 conditions. I said, "You bet we'll audit this thing back 14 years or so, but under 2 conditions — number one, you pay for the audit out of your pocket, not out of our pocket; the corporate pocket. Number two, right now, today, we will make a deal to buy or sell, predicated on the determination of the audit, so much per share." And we established that right then and there. Well, when I did that I never dreamed they would buy. It took 8 months for the audit and it cost \$44,000, and they bought it in 1965. I couldn't believe it. I would have bet you anything; I didn't think they'd want to buy, but they did. The books were perfect. Del comes from a family in Reno that has the Riverhouse, and we were having breakfast there one morning with the auditor, and he said, "Well, Carl's work is not exactly like U.S. Gas and Electric or anything like that, but he could find anything; any piece of paper he wanted. And our audit shows that his books are perfect. That he not only does everything according to Hoyle, but the corporation awes him personally — he's advanced it \$92,333 over and above any stock. These were open advances." So they bought me out.

RM: Were you glad they bought?

CH: You know, I think I was. There again, you get certain philosophical . . . I don't think I've ever really regretted selling as such. I like the RO, and I like this valley and my cattle, but it was a strain. And I was alone, not really having anyone else to support it in that sense. was married

before, and about that time I divorced, and then Del and I were married. We've been married 25 years now.

But at any rate, the way it worked out, I don't think I've ever really regretted selling it. It was huge. And the biggest problem — the tremendous headaches — involved fighting with all of the regulatory agencies, the county and state and federal [offices]. And then labor — my god, the difficulty of getting someone to ride 100 miles of open range. We slept out here on the desert, and you're not going to get anybody to do that anymore, what with radio and television and all those compounding factors. And I did well financially. I came out well.

RM: Why did you keep the Wine Glass rather than another part of the RO Ranch?

CH: It's the best in the valley. I think everybody always thinks he has the best ranch [laughs], but most everybody I know says, "No, the Wine Glass, that's the great place."

RM: What makes this the best?

CH: The soil and the springs. There are 21 springs here.

RM: On how many acres?

DH: It's a section — 640 acres.

RM: Are they artesian?

CH: Yes, almost all of them. Then we have mountain water out of 2 canyons.

RM: Which 2 canyons?

CH: This one's called Devil's Canyon. The other one is Broad Canyon.

RM: Do the streams flow all year?

CH: No. Broad Canyon usually dries up in July. It will go longer or activate a little during the rains, but that's about it. Devil's Canyon is the source of the springs, and other than in a long drought, they never dry up.

RM: Who originally staked out the Wine Glass?

CH: Two men. You know them, Del.

DH: No, let me go look it up. We've had so many names in our heads.....

RM: Was it in the same period, 1863?

DH: Yes.

CH: Everything happened within 2 or 3 months.

RM: Somebody discovers something up at Ophir, and what's the time between the discovery up there and when the land is staked out down in the valley?

CH: Days and weeks. I mean, you've got Austin being discovered in '62, but not really moving until about January '63, and just like that, these ranches, too, begin being staked off. By April '63 you have the Kingston and Ophir mines. I think really, physically, if I were to have to guess what would happen (and it shouldn't be too hard to find out), I think you'd do like John L. Smith. You'd come out and you had heard that Ophir was a big strike. Well, by the time you get there, there are tents all over the place and you look around, you can't acquire a claim anywhere, and you say, "Ah, heck with it." So you're either going to go down and look for something else or maybe you go by and say, "Hell" (if you have a little farming background) "I think I'll just stake a claim right here right now."

RM: You'd think some of the guys would say, "Heck with the mining claims. I'm going to go . . . " right away.

CH: In fact, they might have. It's possible that some of them said to heck with the mining up front. But I think for the most part . . .

RM: They were miners.

CH: Yes. And the word got around, that, "Boy, Ophir was on." And now Kingston was on. And now Austin. So they went out and looked at those claims, and when they didn't find them then they'd go ahead and [set up a farm or ranch.]

RM: What became of the RO after you sold it in '65? Did it remain with these same people that you mentioned before?

CH: Yes. I sold to the Denmans; essentially they were majority owners. They sold to the Zimmermann family — the father and 5 boys. And then the Zimmermanns sold to the current owners.

RM: When did they sell it to the Zimmermanns?

CH: We have the records right here, but it would be about 10 years ago — say '75. And then in '88 the Zimmermanns sold to the current owners, the Wilmans.

RM: Do they live on the ranch?

DH: Part time.

CH: They'll be in tomorrow or so.

RM: They're out of California?

CH: Yes. They live near King City, California, which is near the Monterey Peninsula — Monterey Bay. Now, do you have that document? DH: The Denmans sold in 1976, to Zimmermann. And then Zimmermann sold to the Wilmans in '88.

RM: Who were the Denmans?

DH: Alice was in agriculture in the Imperial Valley.

CH: Alice was a schoolteacher in the Midwest. She came out and married a big farmer in Imperial Valley by the name of Sinclair. And she was a very smart lady. She looked and acted a lot like Emma — she was a big, tall woman. And it wasn't long till she put that farm on the map. It was thousands of acres in Imperial Valley — huge; an empire. Sinclair died and she acquired all of that property and Denman was his personal pastor. She married him, and Denman is here, at the Peavine Ranch.

RM: Yes, I remember hearing about that from Don Cirac.

DH: Don worked for Carl on the RO

[Tape is turned off for a while.]

RM: Is your interest just historical, or does it involve trying to establish title to the water, or what?

CH: Originally my interest was just Smoky Valley. I owned a ranch here and I wanted to know what happened, and I wanted to know what the cowboys' names were and who those people were, and Emma . . . that's where I learned stories. Then over a period of years, when we owned the ranch, I had a serious legal interest. Because remember, everything we're saying here establishes title, establishes possessory right, which in turn establishes beneficial use of water. That's the name of the game. Because this is a prior appropriation state. The first person who used the water . . . first in time, first in right. We went back to school 2 years ago and took a lot of law courses. Really what we do right now almost all the time is work with water rights. We're working on some of the biggest cases in Western America now.

RM: Is that right. Right in central Nevada?

DH: Yes, on water rights.

RM: Are you involved with that guy who's staking out a lot of the water in central Nevada?

DH: This recent filing? No!

CH: No. My gosh, we heard about it. That's got to be the fraud of this century. That's a complete, gigantic joke; right?

DH: That's a joke. We don't know who he is.

CH: But at any rate, the legal aspect of the water has now kind of taken over our interests. And we have to know it. You couldn't possibly establish priority rights without knowing the [history]. Every rancher wants to be able to document vested rights. You want to prove that your predecessors used so much water at a certain time, and that it's been in continuous use since then. And as long as you have all those factors together . . . as long as we have a constitution left, we'll probably have some kind of a claim to that water.

RM: And the rancher who doesn't, might lose his water?

CH: Unfortunately, it's happening. I'll tell you what — it is getting to where we can't read the documents. If you've had occasion to take a look at any of that new microfilm and microfiche, you can't read it. Most of the original documents, and therefore the history, are going. I think this is why the current owners of the RO Ranch and others are making sure their water is documented.

CHAPTER FOUR

RM: Del, why don't you tell me your name as it reads on your birth certificate?

DH: My maiden name is Del Loomis.

RM: And when and where were you born?

DH: I was born in Reno January 30th, 1941.

RM: And what was your father's name?

DH: My father's name was Eugene Frandsen Loomis. [One of] Dad's uncles was Peter Frandsen, who has a building named after him on the University of Nevada campus. He was a teacher there. (I found this out later.)

RM: What was your dad's birth date and place of birth?

DH: Dad was the son of a traveling photographer, a very interesting man. He photographed royalty and dignitaries of Europe and all over the world. At the time Dad was born they were in Buenos Aires (his father was on a photography trip), so that's where he was born. But they actually headquartered in Reno.

RM: Do you know when he was born?

DH: Yes; Dad was born in 1908.

RM: And what's your mother's name?

DH: My mother's maiden name is Cebe Wallace.

RM: When and where was she born?

DH: She was born in 1916, in Missouri. Her family moved out to the Bay Area, around Berkeley. My grandfather was in the men's and women's clothing business there.

RM: Did he have his own store in Berkeley?

DH: Yes. It was called Wallace and Wallace; I'll never forget it — it was a beautiful store. It had lovely clothes; nice quality things. In the 1960s the hippie generation was centered around the University of California at Berkeley. The market for that type of clothing was no longer there. They were lucky; they were able to sell their building to Bank of America. They needed a bank, I guess, in the area, but all the high-quality small stores were virtually out of business. I think it was the end of an era that we probably will never see again.

RM: How did your mother wind up meeting your dad?

DH: They met at Lake Tahoe. My grandparents had a home at Lake Tahoe and my dad, who was then a new attorney in Reno, went there for vacations.

RM: And when they got married they settled down in Reno because that's where he had his practice?

DH: Yes. And Dad was city attorney for a long time. He was also in politics for a while. He was the Washoe County state senator for about 6 or 7 years, so he sat in the state legislature. I'm the first child of 4 — I have 3 younger brothers.

RM: Why don't you state their names?

DH: My oldest brother is Andrew Frandsen Loomis; the next brother is Christian Wallace Loomis; and then my youngest brother is just Cebe Loomis.

One kind of interesting thing — I was due to be born on Franklin Delano Roosevelt's birthday, which is January 30th. My dad was in the state legislature at the time, and it was a heavily Republican legislature. The legislature proclaimed that if I was a girl, they would celebrate [chuckles] if I was born on FDR's birthday. If I was a boy, they wouldn't celebrate. [Laughter] It was just kind of a fun thing. And sure enough, I was a girl. So everybody celebrated, and I have a beautiful little silver cup with the Nevada state seal on it, given to me by the legislature. And I had 49 godfathers and 2 godmothers.

RM: Is that right; that's great.

DH: And they named me "Nevada Judicia" — that is my name, given to me by the 1941 Nevada legislature. [Laughter]

RM: That's a cute story. Why didn't they want a boy born on FDR's birthday?

DH: I think, back in those days, there was the male thing, and a boy must have represented FDR, born to a Republican senator! I guess that was the reasoning behind it.

RM: It was OK if a girl . . .

DH: It was OK if a girl was born to Mr. Loomis . . . [Laughter]

RM: So you grew up in Reno?

DH: Right. And my dad, as a little boy, had grown up in Reno, also. He was from an old-time family, and his mother was there most of the time; she was a schoolteacher. He was well situated in the town of Reno, and then became city attorney.

We lived on the Truckee River. That was another interesting story. My mother saw a barn that was right on the river, very close to town, through Wingfield Park. It was the barn to a big, beautiful home on the hill. But she loved the barn. So nothing would do but she had to live in it — they had to buy the barn. So that's where I grew up.

RM: Is that right. They made it into a house?

DH: They made it into a lovely home. It sat right on the river; still Hoes.

RM: Is it west of . . . ?

DH: Yes, it's west of town. As you go through a little park called Wingfield Park, which is pretty well established, it's at the very end. You can see it from the other side of the river. It's right across from the Christian Science church. It's really the only home on that side. That was a wonderful place to grow up. I played a lot of tennis when I Was a teenager because the tennis courts were right there in the park.

RM: What stands out in your mind about growing up there?

DH: Reno was a wonderful place to grow up as a kid. It wasn't a large town then, so it was still very safe, and everybody knew everybody. I think one of the nicer things for children was that it had a recreation department that had free tennis lessons in the summer and free skiing lessons in the winter. It was a wonderful recreation area for young people. Of course the climate is good. We also had Lake Tahoe right there, and it wasn't crowded at that time anybody lived up at the lake. My brothers and I, as we grew up, were all quite athletic. We were into just about every sport there was in the area. It had a good university, even though it was small. The University of Nevada has always been a good school.

RM: Did you go to UNR?

DH: I was fortunate enough to go to private school in Berkeley for 2 of my high school years. Then I went to Mills College for a year, and then came back to the University of Nevada and graduated from the University of Nevada.

RM: What did you major in?

DH: I majored in dramatics and minored in mathematics.

RM: Is that right. That's an interesting mix.

DH: It was.

RM: How did you meet Carl?

DH: My parents built the Riverhouse Motel during the late 1950s, which is in downtown Reno. And with the Riverhouse they built a beautiful little restaurant called the Bunbox. When Carl came to town from here, he always stayed there. It was right on the river; very nice. After I grew up and graduated from college, I helped my parents in the Bunbox, and that's when I met Carl. I knew Carl for 4 or 5 years before we were married. We were married in 1967.

RM: What was it like for you after you got married, to move to such a remote area?

DH: At first, Bob, it was scary, I will admit. It took me almost one year to really adapt to this country. When Carl first brought me out here it was a very romantic thing — he put me in his airplane and we flew out here. It was about this time of year [mid-September]. We landed, and here was this gorgeous ranch, with shoulder-high grass and cattle, and oh, I thought I had literally gone to heaven. But living here was a different story from visiting.

We went to Europe on our honeymoon and when we came back it was in the middle of the winter — dead winter. And oh, my gosh, I had never lived in a ranch style before — where everybody kind of mixes up together, and you all share everything. In the cities it's segmented out, and you live in this house and that house. I had an awfully hard time dealing with that concept. Also, the horses were right in the immediate yard, and I was used to a little lawn and flowers and things from living in Reno. Although it was beautiful, it was hard for me to get used to [the remote setting].

My daughter Sunny, from a previous marriage, loved it. She had no problem at all adjusting. She went to the little 2-room schoolhouse in Round Mountain. There were only 30 children when she went to school there.

But I had a heck of a time. Carl would always have to take me back to Reno for a few days, and then back to Smoky. He really made an effort. Pretty soon it started changing and I adapted quite well. But it was a little bit of a shock at first.

RM: Did the winter bother you at all?

DH: Well, no, it was the remoteness of it. And actually living here, and the absolute peace and quiet. And of course in those days we didn't have the mine [at Round Mountain]. There was no grocery store, nothing. Just ranches, and Carver's was just a small place with a small counter for a bar, and that was it. Although Reno wasn't large, I was used to a few stores and a few things around. I think the bleakness of the time of year was . . .

RM: How did you find the social life here?

DH: It was kind of interesting, because you have to prove yourself, more or less, out here. People take you in an absolutely honest way, I think, more than in a city. They take you as just a human being and they're not really impressed with anything you did as a child, or who you are at the moment. That doesn't mean anything. I don't know what their standards are, but if you work hard, if you're honest, if you help or you get involved or anything, then, OK; they begin to accept you. We personally don't socialize a lot, but over the years I've gained a lot of wonderful friends. And now I think they will do anything for me.

RM: So early on, you can't make it on your credentials.

DH: That's right. It doesn't matter how many you have, you have to prove yourself on other [grounds].

RM: So Carl had already sold the RO when you got married.

DH: He had just sold the RO, right. Our early married years were spent developing Kingston. Even though our main residence was here at the ranch, we did live there, you might say, half the time. Right after we were married we bought the old Kingston Ranch.

RM: Is that right where Kingston is now?

DH: Yes, it has the same boundaries and everything. It was in an estate when Carl bought it.

RM: Was Don Cirac involved with that as a partner?

DH: No. To my knowledge, Don never had a partnership interest in Kingston. Jim Kielhack had an option on part of the ranch, on what you might call the lower end, which was developed first. Jim wanted to exercise this option to buy the lower end of Kingston but was unable to do so. He then asked Carl if he would get involved, and at that time Carl had just sold the RO, so he had some capital. Carl said, "Well, OK, I'll just buy the whole thing."

Don Cirac had worked for Carl on the RO Ranch years before that. Don's family is quite well known, of course, through the mining here. Actually, he was selling parcels of land at Kingston. He worked with Jim Kielhack, so we were never really partners with either Jim or Don. Carl also bought the old Gillman Ranch as part of the purchase of Kingston. The purchase was made from an estate.

RM: Where is the Gillman Ranch?

DH: It's about 6 to 8 miles north of Kingston. It has subsequently also been subdivided. The Gillman Ranch was founded at about the same time as Kingston, about 1863. It is only about 125 acres in size. Jim Kielhack did the surveying, water lines, roads and so forth, and for that he gained ownership of half of the lots in Gillman.

RM: Has the Gillman subdivision been what you'd call successful?

DH: I think it has. It's slow, like Kingston. And there weren't as many lots there, and more have been sold proportionately. Also, there weren't as many deed restrictions, so you could pull a trailer in and do just about anything. It's a little more successful financially, I guess.

RM: Was it pretty easy to subdivide in those days?

DH: In those days it was, Bob. The county commissioners were the only people involved. You had no environmental problems or restrictions at all. In fact, you didn't even have the health department. There was nothing, really. When we first bought Kingston, we went ahead and surveyed it into lots. Raymond Smith, who is a master planner (that was his profession; he's now located in Gardnerville) helped us design all the lots. He had some open space in the middle and it was really very nicely designed. All you had to do was survey it; you really didn't even have to have any improvements in, then the county commissioners approved it.

RM: And then you just started selling lots?

DH: Yes.

RM: How big were your lots?

DH: They ranged in size. The ranch went up into the canyon a ways. It has steep benches on both sides, and some flat bottom land in the canyon, and then flatland on the lower north end. The flat northern lots were bigger — they were from about 2 acres up to 5. As you moved up in the canyon they became smaller, down to three-quarters of an acre; half an acre is the smallest.

RM: What did you sell them for?

DH: We started out on the lower end, and that was 25 years ago. (Jim and Don sold the majority of these lots.) They were sold from \$1500 to \$2000 an acre and sometimes \$3000, depending on the size. The stream sight lots were sold for a little more, about \$4000 and \$5000. (They're about the same now.) The ones that were up close in the canyon had pinon trees, and the ones by the stream had a lot of nice features. They were selling for about \$8000 or \$10,000. That was about 20 years ago. And then the gasoline crunch came. Do you remember when the price of gas all of a sudden jumped to \$1?

RM: Sure, in '73-'74.

DH: The sales dropped off dramatically because nobody could afford to even come out and look. It stayed that way for quite a while. Then in the early 1980s the gold mine was reactivated by a company called Brazos Metals.

RM: Oh — up in the canyon?

DH: Yes, the old Victorine Mine.

RM: My dad worked there, I guess.

DH: Really? Oh, for gosh sakes.

RM: That was in the '50s.

DH: In the '50s!

RM: Well, he worked in Kingston Canyon, I know; I don't know which mine it was.

DH: The Victorine Mine in Kingston was originally worked in 1867. They took out a fair amount of gold; I think it was \$2 or \$3 million. The old stamp mill is still in good condition. It's right across from the Kingston Lodge that we later built in the mouth of the canyon.

RM: What were your terms initially?

DH: We had some good terms. I think it was \$300 or \$400 down for a lot, and then \$100 a month at about 8 percent interest. Probably about 60 percent of it was sold.

RM: Are you still involved in it?

DH: Not actively, no.

RM: But you still have interests there.

DH: We have interests there; we still have the Kingston Lodge. We rebuilt a large rock house that was originally the headquarters of the ranch in 1867. It was during the 1960s, and Carl had some "hippie" friends from the Bay Area in California. They came up and rebuilt the ranch house out of stone that they quarried out of the canyon. It really is a gorgeous structure. The man who designed it was Jim Sloan. Carl's sister, Yvonne, now lives in it and she keeps it in beautiful condition — the yard and so on. There is also a general store at Kingston; the building was brought in from Tonopah.

RM: Oh, really — the store building?

DH: Yes. It was the old Miners' Union Hall, and then the American Red Cross building, I think. It was by the convention center. It's a true old false front building. I think the commissioners had decided to tear it down at that time, so they offered it to us if we would move it out of town.

RM: Man, there's a history.

DH: Oh, that is. That's another whole story. It's sitting in Kingston now, right in the middle of the village.

RM: I think I've seen pictures of that.

DH: You probably have. It's a wonderful historical building and fits right in. It's owned by a couple now, and their son, Mr. and Mrs. Baker and Bruce. They opened it and now it's a small grocery store.

RM: How many people live in the development now, would you say?

DH: Oh, maybe 100. That's giving it some. When the mines were active there were around 250 or 300 people.

RM: The mines are down there now?

DH: Yes. We used to draw from Western States, which is in Northumberland. Kingston was the closest place to live for the employees. Also, when the Victorine Mine was activated, they all lived in Kingston. The last company that owned the Victorine was Nevada Goldfields. They bought several lots and had housing for their employees.

RM: What type of person initially bought in there?

DH: People who wanted second homes.

RM: Where were they from?

DH: Reno and Las Vegas were the 2 main areas, but we also had quite a few from California who had heard about Kingston and really loved the area. But again, when the price of gasoline increased, nobody could afford to build. Now more of the owners are holding on to their property, maybe with the idea of retiring.

RM: Did you have any foreclosures?

DH: No, almost everybody paid for their property in full. There were just very few times when we had to take the land back. It was surprising. Las Vegas, I think, was our heaviest market.

RM: Is that right? Even though it's farther away. But they can get out of the heat.

DH: Yes. I think it's the fact that there is live water, and out of the heat.

RM: Yes. You can find other environments like that closer to Reno, but not closer to Vegas.

DH: Yes, Las Vegas is kind of stuck. So Bob, during the first 15 years of our marriage, Carl and I developed this town of Kingston. [We worked on] just about every aspect of it, from the improvements, to the Kingston Lodge, to selling the lots — everything. It was interesting.

RM; I've talked to people who've been associated with another development — Rachel. It's about 50 miles this side of the Pahranagat Valley. And they do all right subdividing land there, selling to people from out of Vegas and so on.

DH: I've heard of Rachel, yes.

RM: I don't know if Carl agrees with this, but I see these developments as kind of the model for the future rural Nevada; I think that's the direction it's going to go. These big ranches or whatever are going to be subdivided and become little communities for people escaping the urban hassle.

DH: It's very possible. I understand Logandale is getting that way.

RM: Yes, but that's an old farm area. There have been towns there for a long time.

DH: OK, so that's a little different.

RM: That's south of Mesquite in the Moapa Valley. It's a little bit different, but there are also similarities. There's water there and everything, and it's closer to Vegas. I think that eventually every parcel of land will be filled in where there's water and where the land is privately held.

DH: Yes, especially water; that's really the key. (Kingston has a lot of water.) I think all the little subdivisions that are already platted and that have water and land will probably be the first ones to develop. Because it's so difficult to do it anymore, and water is scarce, also. For instance, the town of Hadley [outside Round Mountain] has a huge well that produces about 3500 gallons per minute. In fact, at one time we had a half-interest in that property, when it was an alfalfa ranch.

RM: Oh, really. You owned the land there, too?

DH: Yes, with another person.

RM: So the Round Mountain mine bought private land there with a well on it.

DH: That's correct. It was a highly productive alfalfa ranch.

RM: I wonder why they built there, and why they didn't go down toward Carver's.

DH: The reason is because of the water. With the well that flows 3500 gallons a minute, one of the best in the entire state, the mine could develop their own community and add the amenities needed for a positive standard of living.

CH: It's a wonderful well. At something like 3600 gallons a minute from 150 feet, it's like a small river.

DH: Personally, I see any town or community that's already been subdivided, with its own water system — not water that can be controlled from another source — [as ideal for] some industry that wants a captive situation.

RM: Do you think Hadley will survive if the mine shuts down?

DH: Well, yes, I think so. It now has its own water, its own golf course, its own school, its own library, and so on.

RM: Do people own their own lots there, or is it the mine's?

DH: The mine owns all the residential real estate. It's a natural, I think, for another industry to purchase if the mine closes, because they can immediately put their employees in housing and have these established amenities.

RM: Do you know where the name Hadley came from?

CH: I heard he was one of the original officers and directors of Echo Bay Company, one of the owners of the Round Mountain mine.

CHAPTER FIVE

RM: Del, in one of our interviews Carl mentioned a 19th-century law on possessory rights. Was that a law passed by Congress? And what exactly was it?

DH: It was passed by Congress on July 26, 1866, and [it occurs] within an important mining act concerning water use and easements across federal lands. Within this mining act, there's one short paragraph that applies to agriculture; the [rest of the] act applies to mining. This one paragraph states that if a rancher, or anyone, was using the waters from a stream that had its source on federal lands, and that water flowed across federal lands to that private property, then the United States granted the continuous use of those waters. A lot of those uses were what we call a possessory interest, before Nevada was a state. Whoever had a possessory interest or right on that land was granted the continued use of the water and the right to conduct this water to their land. They were also granted right-of-way, or easement. They were also granted the right to repair and maintain the easement. This was an outright grant by the United States.

RM: I see. Up to how many acres?

DH: As long as they put the water to beneficial use, the United States honored whatever the amount of acreage was that they had been using at that time.

RM: And anybody subsequent to that would have it? For instance, if somebody didn't have a possessory right on a stream or something, could they get it later?

DH: When Nevada became a state and then later when the state's water engineer's office was formed, the office recognized prior use or preemptory use in the form of vested water rights. In addition, Nevada adopted the prior appropriation doctrine, which simply means "first in time, first in right." So when these possessory interests were legalized or formalized by patents, the vested use of the waters beneficially used on that land were established. Most everyone historically on these old ranches had a possessory interest before a patent.

This whole issue is actually quite simple, but now with the importance of water, any water, in Nevada, the interpretation of the act of 1866 has become very important. I hope I have answered your question, Bob . . . it has taken me 2 years to understand the basis of this act myself.

They repealed part of the act later on. The 1866 act, which I will get you a copy of, is really important. There's a lot of case law that has been built around that one little paragraph that makes it very interesting. Again, it was a general grant from the United States for the water and the easement to conduct that water and to repair and maintain that ditch. So the act gave you a water right, ditch right or means of conducting the water and the easement for the repair and maintenance of that ditch or [other] means of conducting the water.

RM: What about squatting on the land, aside from the water? I know the ranches down in Pahrump were occupied way before they got title from the federal government. It was on possessory rights .

DH: That is probably right. I have not researched Pahrump's history, but it probably could be classified as a possessory interest also.

RM: Did the same 1866 law do that, or did that date back to common law? DH: I think the actual possessing of the land first was more common law, more so than the use of the water. It stemmed from the pioneers who were encouraged to come out and settle the West. The 1866 Act was primarily a mining act, because out here in central Nevada, mining was such more predominant, obviously, than agriculture.

RM: Right; that's what brought the farmers and ranchers in.

DH: Exactly. It was the same philosophy. As far as agriculture goes, the person who possessed the ground simply had to go out and put some stakes in the ground. It didn't have to be square, just whatever . . . and usually it was the good "growing" land. Of course, that's where all these old ranches were formed and settled. It was also wherever the water flowed from a nearby canyon. The old-timers saw the future of combining this land with the nearby water. This act was unique, because you didn't have to actually have title to the land in order to have been granted the right to use the water and the easement. In addition, the state of Nevada later on, in an act, I think in 1871, honored the possessory interests.

They honored that possessory interest and protected it until the possessor could gain title to it; until they could prove up on a Desert Land Entry or a homestead, or gain a U.S. patent or a state patent. So they protected and honored that claim. [In other words], you could literally go to the state of Nevada, the court system, and get protection for that possessory interest, but you did have to eventually get a patent to it. It was not protected forever.

RM: How long did they protect it?

DH: Most U.S. patents, and then state patents, seem to have been applied for and granted out here in 1890s, as a median [date].

RM: So when it became possible to [patent the land], then you had to do it.

DH: When it became possible; exactly. There were a series of acts that allowed you to do that, the Homestead Act being one of them. Some of them didn't patent until the 1900s.

RM: Right. Or even into the 1950s, with the Desert Land Entry lands.

DH: That's right. So in theory, I think that law probably would've protected you even up to the 1950s, if that's what it took.

RM: Is there a single source that has a lot of this information, or is your knowledge a result of a lot of reading and experience?

DH: It's mostly a result of researching and applying experience.

RM: So there's no one book where I could go and get the lowdown on all this.

DH: No. In fact, Carl and I, working for and with John Marvel, a well-known attorney in Elko, helped create a document which is original. It is called a proof of this vested easement. We attended the University of San Diego for a year and completed a lawyer's assistant program. With this training, and working under John Marvel, who is from a well-known ranching family in the Battle Mountain area, we all applied our experience in water and ranching to the formation of this document.

RM: Did you go to the University of San Diego to learn about this?

DH: We attended the USD program to learn about all areas of the law, but we have been able to apply our knowledge more specifically in ranching and water rights.

RM: And what was your overall motive for doing this? Was it so they can't take your rights away from you, basically?

DH: As our modern age goes on and environmental issues come into play more, everybody is recognizing the fact that all of the federal lands belong to everyone. However, the water on these federal lands and the easements granted in connection with these water rights are private property rights. So we help our neighboring ranchers perfect their water rights and any easements that they may have, and we put them on file for them.

As time goes on, I feel [our work] is very important. There have been a lot of laws passed recently — one in particular is called FLPMA, Federal Land Policy Management Act. It was passed by Congress in 1976. The basis of the act was the fact that they felt that the natural resources on public land that we have in these United States should be protected. Congress put the BLM and the Forest Service in as managers of these federal lands. I don't think that Congress ever meant for what is now happening to happen when they did it (although everybody is very concerned about our natural resources), but now the federal land is being conditioned to the point where the rancher now is quite limited in what he can do on the federal lands, as compared to what he used to be able to do. There were guidelines, but there were no stops, you might say, within this law. FLPMA gave the Forest Service and BLM a lot of rein to manage the particular geographical districts. A lot of ranchers' grazing privileges have been drastically cut; the numbers that they can graze have been lowered dramatically. The riparian areas, particularly in the forests, are being conditioned most severely.

RM: Riparian is the streams?

DH: Yes, riparian areas are those areas that border the streams — the green meadows on either side of the streams. In the high country [that means on the] forest lands, mostly. It can, however, be on BLM [land] also. Of course, this area is where the cow immediately wants to go when she's been turned out on that allotment in the summer. For 125 years, the cow has grazed there in the summertime, and eaten probably between 80 and 90 percent of that riparian area before moving onto the upland areas to what you might call the less desirable grasses. The riparian is the most tender and has the most palatable grasses for cows. Also it's close to water, and shade.

FLPMA allowed each geographical area or district to set up its own land use plans in the Forest Service areas. (I'm speaking pretty much for Forest Service, because that seems to be the problem at the moment.) This plan allows the cow to only utilize about 52 percent of the riparian areas, rather than 80 or 90 percent, which was the 125-year historical use. So now you have a problem of, how do you get the cow off at 52 to 55 percent utilization? It used to be that the rancher would turn the cattle out in the high country, go home and hay and do other summer chores around the base property ranch, then gather the cattle in the fall. To date, this is the only economical way of handling cattle. The rancher was the best steward of the land. With rare exceptions, he never overgrazed. The reason was that he had to depend on that range the next year for his living. Additionally, he made improvements to the stock water and the range with his own funds.

Unfortunately, now you have to almost live with that cow. It's almost like sheepherding. Now when the cattle utilize 52 percent [of the riparian areas] (and in addition, with the Endangered Species Act, if only a few plants in the riparian area are consumed, it's 55 percent), then you have to remove the cattle. It's really a nightmare, in a lot of cases, and financially prohibitive.

RM: So what do you do?

DH: Well, that's the problem. Some of the ranchers haven't really figured that out yet. They have been doing [various things] the last couple of years, since the law's been more or less enforced. (The law's been on since '76, but it hasn't really been enforced in our area until the last 3 to 4 years.) One rancher had to hire extra cowboys, rotate them around, make sure that someone was there almost daily with the cattle. All this includes more food, more pickups, more horses, more everything, in order to comply with these regulations. Even with all of this, they were required to move off the allotment before their normal grazing season ended. Other ranchers have just taken nonuse, because they cannot comply financially.

RM: You mean, not using their grazing rights.

DH: Yes. Nonuse, not using your allotment, is possible for a period of 3 years without losing your permit. However, it really only delays a problem, because if you go back within 3 years, you'll have the same problem. Some ranchers now simply have given up their allotment because they know they can never economically comply.

RM: What happens if the rancher just ignores the regulations?

DH: That is almost impossible, because every year the rancher must agree to an annual operating plan. This plan, jointly designed by the rancher and the federal agency, used to be exactly that — a joint agreement. Now, in practice it is simply what the Forest Service's standards and guidelines dictate, which are regulations that are impossible to comply with. Also, each rancher works under a 10-year permit which can be — and is — subjected to changes by the federal agency. In other words, the Forest Service, for example, can add (as they have done in this area out here) conditions on utilization and use of endangered species within the allotments. If you ignore the terms or regulations, the agency cancels your permit and you can no longer run your cattle in the allotment. You must have the permit to run your cattle, but the agency pretty much dictates the terms and conditions, and can change them without your approval. The rancher is stuck. He must have a permit to run cattle in the allotment. This is why they are now taking nonuse or giving up their permits.

If the rancher chooses to try to comply, the Forest Service normally sends you a letter saying that they've sighted these cattle within these riparian areas, and that utilization has been reached, and you usually have about 5 to 7 days to get them off. You have to drop everything as soon as possible and go to try to take them out of the area. If you totally ignore it, the agency has the option of canceling your permit.

RM: Do you get fines, or anything like that?

DH: The rancher can appeal through an administrative process, but it is expensive, and so far nothing has been overturned. Also, if needed the Forest Service does have an enforcement arm. That has not even been an active arm for many years. The only time it ever was [active] before was in the early days, when the Forest Service first came into existence, around 1905. They used to carry weapons for protection when they rode in the mountains, but it was mostly for game — for animal protection — and then maybe a vandal or a true criminal, just hiding out. So [they carried arms] for protection for themselves. Now they have reactivated this enforcement arm, and this enforcement arm can be called immediately. They have the authority to cite you, fine you and, if necessary, charge you with a criminal offense.

RM: How do you feel about the whole riparian idea?

DH: Well, having been in the ranching business for 25 years, our ranch here, the Wine Glass, is what I would call a large riparian area. Every year we have a great number of cattle, upwards of 500 to 700 head during the 4 months of the summer season, and every year they graze it down to 80 to 90 percent. There literally isn't a blade of grass left in the fall that hasn't been mowed down, leaving roughly 10 percent of the grass. And every year it comes back and is tall, healthy and ready for the cattle again. To me, there's really no basis for leaving 52 percent. You need that entire cycle. It's like mowing your lawn, in a way. You need the cycle of the plant being "mowed" (eaten by the cattle) so that the sunlight can reach the new plants in the spring and the new shoots can grow. The plant can then do its entire cycle. Also, the cattle's manure provides fertilizer, which, again, they have been doing for 125 years. Here at the Wine Glass I drag the meadows every year, spreading the manure. It is the only "fertilizer" we use.

RM: So you think it's unjustified.

DH: I do. As I've said, the cattle have been using the range this way for over 125 years, and there has been nothing wrong. Now, there have been periods of time in history when the land was overgrazed. There were really too many animals in one area. In the Toiyabe Range there were a good 10 times the animals grazed than there are now, and that was too many — [especially] coupled with the drought [of those years]. So that was wrong. But they corrected that. The numbers were reduced to half and it seemed to be ideal. The ranchers were required to rotate the cattle and to do it on an allotment procedure, which is a real rest rotation, and the cattleman agreed with this procedure. Up until 5 to 10 years ago, cooperation between the rancher and the Forest Service was excellent. The rancher could live with the regulations. But when you arbitrarily say it's 52 or 55 percent and you're off, and you're causing all these extra expenses, it's just totally wrong, and there are no long-term studies to prove this formula works.

RM: They see abuse to the land, but how much of what they're seeing is really long-term drought? Is there anything to that idea? I've talked to a lot of people throughout this part of Nevada, and every one of the old-timers will tell you there's a lot less moisture now than there used to be.

DH: That's true.

RM: And so really, what we're seeing is a long-term degradation of the environment due to drought rather than overgrazing. Does that make any sense to you?

DH: Yes, it does.

RM: They're confusing the two.

DH: Yes, they are. And you're right. We are in a 6-year drought out in this area.

RM: But actually, we're in something a like a 50-year drought, if you talk to those people; or, a good 40 years.

DH: I think that's right.

RM: They haven't had really good storms since the '40s, they'll tell you. Occasionally there's a wet year, but overall there's just a lot less moisture.

DH: Yes, in fact I've noticed that in the 25 years I've been here. There was a lot more moisture a number of years ago. But the thing is, it's a type of thing that is workable. To me, the rancher is the true steward of the land. The reason he is, is because he makes his living off of it. As I said, he is not going to run cattle and devastate any area in the forest. He's just not going to do it

(other than maybe one or two Abusers that you get in any situation). He will get those cattle off early in a drought automatically, or he will rest an allotment one year.

Out here, what happens, too, is you have isolated areas that get a lot of rain and snow. For example, the Peavine area this year had a tremendous runoff. But it was just in that one little area. North and South Twin, Kingston . . . were dry. So the rancher, for the most part, has really addressed this problem on his own. But it's the cutting-off, it's a regulation by the government by, honestly, people who are not as knowledgeable about an animal, or, really, about the resource in connection with the animal, as a rancher is, because the rancher has to make his living on it. They can ride through there, and they can see something and they don't understand the full impact.

RM: What's going to be the outcome of the problem?

DH: Bob, I think it's pretty obvious that people all over the world are getting more environmentally concerned. I personally do not understand the theories they would like to apply way out here. I think we have a lot more environmental concerns in the cities that are major concerns and that should be addressed first. But I think it's just inevitable that the present public policy will win out here also. However, I do believe that most of our citizens are not aware of the entire picture, and would be concerned for the ranchers if they did know about them. After all, who is going to supply McDonald's and who loves the cowboy and his tradition? Incidentally, we are working on a case right now to try to fight back a little bit.

There have been lots of ranchers who have tried to figure out ways to come back. Some people take their case, if they can afford it, to a district court. They may feel that the local Forest Service official is out of line. I only say Forest Service because that's where the abuse is taking place. The BLM so far has been very cooperative. Even though they have environmental pressures, too, they seem to be much more in tune with the rancher and they seem to fight back a little bit and say, "Wait a minute, now, you're going too far. You don't live out there, you never come out there very much, and we understand that you care, but so do they." The Forest Service has not been that way. Maybe they get more pressures. And of course the forest has more trees, it's probably prettier, more aesthetic, and more people want to go there.

Anyway, you can go to a district court and actually attack a local situation, where you feel that a person is being too abusive, or too arbitrary and capricious in his actions; that he should back off and not cut so much. You can do that. One thing . . . we'll be editing this, I assume.

RM: Oh, yes. You can say anything you want; it's totally open [to revision].

DH: OK. It's going to be public here pretty soon anyway. But there is another route we are taking, and that is that the rancher or the permittee owns the water up in those mountains. The U.S. government does own the land, but they do not own the water. And by cutting these grazing permits, they are denying the owner of that water access to his private property. And it's a time private property right. We feel that if the government, if the people, if public policy, is concerned about the environment, and they would rather see less cattle, or no cattle, or they

would rather see more wildlife or whatever, then you must pay that man his compensation under the Fifth Amendment.

RM: For his water.

DH: Right. So we see it as about the only way we're going to get any kind of compensation. And it's a terrible thing, because they're wiping out a tradition, on the way.

RM: And even if you win, there won't be any ranches.

DH: There will be no grazing on federal lands connected with the ranches. Everybody will have to go back to their base holdings.

RM: Which most people can't make a living on, can they?

DH: No; in this area they're very dependent on that type of ground out there. They have to have it in order to make it a balanced operation. And if they lose that, I don't know what they're going to do, really, but they'd have to retire back to their base property. But at least they would have money compensation. They literally would be compensated for their losses.

RM: They'd have money, but that would be the end of the ranch as a functioning ranch. Eventually the taxes would destroy them.

DH: They would have to change their methods or maybe buy another base property that they could consolidate, which would make their acreage better. Because one thing about base properties — if you have the water, you're free to improve it. And you really can do a great job — you can fertilize, you can drag, you can irrigate more properly. You can really get better AUMs [animal unit months] or better efficiency on it.

RM: But still, there's a limit here, isn't there? I mean, how many cuttings of alfalfa do you get, or how much hay do you actually get? How many cows can you actually put on an acre in this country?

DH: Yes. It's still a limiting factor, Bob. I would like to qualify all my discussion at this point. Everything I have said here applies to the central Nevada area. There are other areas in Nevada and in other states that do not have quite the extremes in the ranged areas that we have, but the basic problem is there.

RM: As this unfolds, do you see ranching as changing radically? Either the government's going to drive them out or they're going to buy up their water. One or the other.

DH: That's right; one or the other.

RM: Either way, the cows are off of the range, back onto the base property. And then what you'll get is consolidation of the base properties, so you'll have just a very small number of ranches that really aren't that profitable. Right?

DH: That's right. I suppose a rancher would have to make a decision on whether he would try to buy more base property, or deeded acreage, or sell to a doctor, a lawyer, or other people who want these nice small places. They have outside income, different income, they're not in it to make a living off the ranch entirely. To them it's a beautiful, quiet place to go; a nice escape.

RM: Right. I think that is the wildcard. Because I think the cities are becoming increasingly uninhabitable, and more and more people are going to be seeking a refuge. And I think all over rural Nevada you're going to see people fleeing L.A. and Vegas and other places, and retiring in what amount to these old base properties, which they will have subdivided.

DH: That's a real possibility. And ranching may be in the hands of a very few, who can afford to buy enough deeded acreage.

RM: That brings me to my next question, which perhaps sounds a little bizarre, but as an anthropologist I'm interested in selection — who gets selected for what within a society. It seems to me what you've got within ranching now (and we may not want to leave this in here) is a selection process for intelligence among the ranchers. In other words, a rancher who isn't too smart, or too educated, or too "with it" doesn't have a prayer, because he doesn't know how to fight on their terms.

DH: Exactly. You have to be able to know, and to go forward, to fight for your water, let's say. Because you're going to be wiped out. I know of 2 good-sized ranches that have already lost all their forest permits.

RM: Oh. So you're seeing that going on already.

DH: Oh, yes.

RM: I hate to use the word, but it's more of an urban-oriented cowboy who's going to win.

DH: Well, I think so.

RM: Because he can fight them basically on urban terms.

DH: Exactly. You have to know the law; you have to understand it, and be able to apply it.

CHAPTER SIX

DH: There are a lot of ranchers who just kind of throw in the towel. Or they don't know quite how to fight. Or they've spent a lot of money trying to, in ways that didn't work. And [our approach] is kind of a new twist on this. It hasn't even really been tested yet, totally, as far as the private property right (meaning the water) issue.

RM: Yes; it may not work.

DH: It may not work, right. But you have to keep fighting, to keep finding ways, and we're not winning on very many other approaches. And please note, Bob, I do not want to see the rancher lose his ability to utilize the range.

RM: Another way of looking at this is that we've got an increasingly litigious society. They litigate everything. You can't do anything, now, without a lawyer, and without going to court and so on.

DH: That's right.

RM: And it's just the infiltration of this whole way of thinking in cultural form into ranching.

DH: Exactly. And it's foreign to an old-time rancher. Luckily, we have been able — not as far as any kind of litigation goes, or court — but we have been very lucky in convincing some of our local ranchers out here to at least secure their water rights, whether it be on the Forest Service, BIM, or even their irrigation rights that originate out of the mountains for their deeded property. It's taken them a while — say about a year, year and a half — to understand the importance of it. But just about every ranch in this valley, now, will have their water rights secured. So that's taken care of. Whether they want to go on and do some more . . .

RM: How do you secure a water right? What are the steps you go through?

DH: Nevada state water law has never required the user of a vested water right, which is basically most of the old ranches here — the ones that were around in the 1860s, and then were passed through the generations — to put anything on record if they had a vested water right. When you apply for a water right from a stream or to drill a well, you are always given that permit "subject to existing rights"; they always have that clause within the paperwork when they give you that right. Well, those existing rights, in most cases, were these vested water rights which never were required to be put on file. Consequently, there was never anything on record.

RM: So it was a morass.

DH: Right. So when somebody new applies for a water permit, they may think, "This stream right here, nobody's applied for it; well, heck, I'm just going to make application for that,"

when, in reality, it had been used for many, many years as a vested water right. A vested water right came about before the state engineer came into existence, which was around 1905. And they honored, of course, all those old rights, which were called vested rights. Well, now it's becoming apparent that you should file a proof of these vested rights with the state engineer. You do this not in the form of an application to appropriate the water, but in the form of a proof that you've already appropriated that water and put it to beneficial use. It's a different form. The document is called a "proof." It's just a simple form that you fill out [that declares] that your predecessors have been using these waters before the existence of the state water engineer (1905). There is a line on the proof where you describe who your predecessors were and when they had the water to beneficial use. The proof must be accompanied by a map done by a licensed water surveyor. What we do for the client is backup this proof with historical documents, starting with the founder, the possessor. We find most of these records in the county recorder's office.

RM: Because they would file on some well or some spring up in the hills?

DH: Historically, we look for a map of the land itself in the form of an early survey map. That's where you usually start. And then in the course of your title search you discover that the original founder will sell his possessory interest. That was interesting. They didn't have title like a patent at that time when they sold it; they sold that possessory interest. Within these deeds there is discussion of the water that was used on the land in question, such as water out of Broad Canyon, water out of North and South Twin, or Bowman Creek, [for instance]. The language in these deeds will either address the water directly or refer to it as an "appurtenance."

This material is all in the county recorder's office --- the documents are all in beautifully bound leather books, all hand-written. So you trace the title, and while you're going through that there may also be language that states that there was use of the waters out of this canyon on my ranch, and then they list the ranch. That can even be in a separate document. So there's lots of evidence, to where you cannot disprove it. RM: When you have a possessory right, let's say to a spring up in the hills somewhere, do you have to use it? And what does use mean?

DH: I was just discussing irrigation waters, and now your question turns to stock water. To clarify some of Nevada's water law: There are 2 different types of use. On a vested water right — if that spring or water source (stream) had been used by your predecessors before the state water engineer came into existence prior to 1905 — if you had a base property and you were in the habit of taking your cattle out into the Forest Service [land] during the summer and your cow had used that spring or stream, then that use became a vested stock-watering right. Any kind of a vested water right in the state of Nevada cannot be abandoned unless you wilfully intend to abandon it. And that takes a lot. The key word is wilful. You almost have to record it, put it in the paper or perform some other wilful act.

RM: So if you don't take your cows up there for 10 years, it's still yours.

DH: It's still yours. There is quite a bit of case law on this issue. One rancher did not use his irrigation water for 40 years and did not abandon it. That's on a vested right. An appropriated right is a right that came about after 1905 through the state water engineer's office. After 1905, Nevada required an application to appropriate any unappropriated water. This happens, like, in a river — say the Humboldt River. You may have had several users who had vested rights prior to 1905. But there still may be some water left over that can be used. That's called unappropriated water. You then went to the state engineer and made an application to apply for that unappropriated water. When you apply for unappropriated water and do not use it for 5 years, then it is considered forfeited, which means the same thing — it's given back to the state of Nevada and made available to other applicants.

RM: Let me reiterate, to make sure I understand. There are 2 ways in which people acquire water rights — making application to appropriate it after 1905, or buying a vested right acquired prior to 1905. So if you had a spring up here, and you could trace it back to Mr. X, who was in here in 1863, and I would buy it from you, then what I buy is still a vested right. On the other hand, if I bought water from you which was acquired through the water engineer, it would be an appropriated right and I would have to use it every 5 years to not forfeit the right.

DH: That's basically correct. Whatever status it was, you buy that status of it. It's first in time, first in right. If you bought a vested water right [that goes back to] the 1860s, that's the status of where it was when it was first put to beneficial use. But if you bought an appropriated water right, say in 1950, then you buy it as of the date it was applied for.

RM: So basically it's a time thing. If it's before 1905, it's vested, and after, it's appropriated.

DH: Right. In 1905, they only had unappropriated water available for application. But the tricky part was, you never had to put a vested right on record. So the problem is, a person could make application on a spring that has vested water rights on it. The state engineer, however, protects itself by issuing all certificates of water "subject to existing rights." This clause is (or is supposed to be) in every water permit or certificate issued by the state engineer. It protects a vested water right user or a prior filing on the same water.

RM: The problem is documenting it; I see.

DH: Yes. As a matter of fact, we helped one rancher, and in order for him to put a pipeline on Forest Service land now, the Forest Service has to have evidence that you own the water. That never was the case before.

That's what we did for this rancher. We researched all of the records in Nye County to prove that he owned this water. We showed it from the original founder — I think his predecessor was 1864. We gave all this evidence to the state engineer and filed a proof as well. The Forest Service also reviewed a copy of all this material. Once the Forest Service believes that you own the water, and it is in your name — it has to be actually in your name; title has to be brought up in your name [and made] current....(A lot of ranchers sometimes bought a ranch where the waters may have been brought forward to 1950.)

RM: Down in the Amargosa Valley, a lot of the land came into private ownership basically through Desert Entry in the '50s. Down there, I've heard people say they have to use their water every 5 years or something, and that's the reason.

DH: I would imagine so, though I would have to research it.

RM: Even though they bought that land from the federal government, in effect, under Desert Entry, the water was controlled by the state — is that it?

DH: Yes, since 1905, or the state recognized the prior right as vested rights. Mostly now in Amargosa Valley . . . it's mostly wells, though, isn't it?

RM: It's all wells. The river does not come to the surface, basically, there.

DH: A well is considered a subsurface right. That has [slightly] different rules than surface water, which is a stream or a river or a spring. But it's basically the same thing, except that other than a few hand-dug wells, wells are applied for as unappropriated water.

RM: The ranchers down there have argued with the state, saying, "This right was given to me by the federal government." But it really wasn't, was it?

DH: The water right wasn't. The land was, but not the water right. They had to make application to the state of Nevada in the water engineer's office. They probably applied to drill a well. I would imagine that's what it was.

RM: But in Pahrump, the biggest percentage of the land came into private ownership before the turn of the century, so that means that they're vested water rights, and they don't have to use it every 5 years and all of that.

DH: It would be interesting to make a study of those areas. The thing is, as I said before, most wells - in fact, I think all of the well water prior to 1905 - were either hand-dug or artesian wells. And there's another set of rules on wells. But there can be a vested right out of a well, also.

RM: Which would be groundwater rights.

DH: A well is classified by the state engineer as groundwater or subsurface water. I think subsurface water is vested if it was put to beneficial use before a certain date. Your vested rights on subsurface water have a later cutoff date, you might say. If that well was in, say, in 1900, if that well had been hand-dug, or was artesian, and it was used prior to 1930, it's considered vested water rights. There is also still a distinction between subsurface and artesian water.

RM: Oh, a well, before 1930, is considered vested.

DH: I have not had a lot of experience with wells, but the state engineer's office has verified this.

RM: How much does a well include? Could you claim 100,000 acre-feet from a well, or . . . ?

DH: Assuming you applied for a permit, you can receive a certificate only for what you put to beneficial use.

RM: Oh; if the original vested owner watered an acre, that's all you get?

DH: Again, vested water rights are different from appropriated water rights, but if a new owner comes in, let's say he only had an acre of vested water, but he has 200 acres. He would make application with the state engineer for more water. That one acre has to be honored first, because that's the vested water right. That was put to beneficial use by his historical predecessor. He can still make application for more water, but it has to be from the unappropriated water source. In underground situations there wasn't a problem up until recently, because we had a lot of groundwater. But now they're closing or limiting some of the basins.

RM: You mean, the state water engineer.

DH: Yes. New applications for wells in this area are limited. Smoky Valley is what they call a "designated basin." There are exceptions. One of them is, if you had surface rights out of a stream, and you have a drought condition, like we have now, and the surface water dried up, you can drill what they call a supplemental well. You use those same water rights, but you do not use the well when you're using the surface water. You can use one or the other, but not both. It's tightening up all over. RM: But that doesn't apply to the domestic guy with an acre-and-a fourth?

DH: No, domestic and commercial, which are a higher use of water (as long as it's not a tremendously huge commercial use of water), pretty much can get a right any time.

RM: How do you see the big Las Vegas water grab in terms of water law?

DH: Bob, what they've done is lawful. They've applied for all unappropriated waters in these different valleys. The problem with that is that if they actually went out and drilled all these wells and brought all this water to the surface and piped it down to Las Vegas, and if they so much as dropped one neighboring well close enough to a well that was in priority to them — one minute in priority, one day in priority — they'd have to turn that well off. It could actually come down to that. And of course you also have to go through these environmental impact studies and other regulations that are required now. In terms of water law, they're lawful; they are legally able to do this. But, generally speaking, they have to take the chance of knowing they'd have to shut a well down if they were responsible for a neighboring well dropping in

volume. I would think this would be very possible with the kind of volume they're talking about.

RM: Oh, yes. Almost certainly they'd draw down everything. So a defense against that would be to know all of the wells that had prior rights, and then to carefully monitor those.

DH: The state engineer has a lot of discretion. Since this type of filing has never occurred on such a large scale, the engineer may have some new problems if it becomes a reality. And of course most of your protests to the state engineer concerning the Las Vegas filings are coming from the ranchers or farmers who have existing water rights. I don't know how many hundreds of protests they have on file, but quite a few. (Other people are protesting because they don't want it to happen at all.)

RM: Yes. Environmentally it's just going to destroy the whole area.

DH: Yes; I would guess that they don't want [to see] all the unappropriated water in central Nevada being taken to Las Vegas. Las Vegas did file for all the unappropriated water. The legitimate protests are the neighboring ranches that already have prior water rights.

RM: Could I have gone out to Railroad Valley 2 or 3 years ago and filed for unappropriated water like Las Vegas did?

DH: Oh, I think so. Sure. You do not have to own a piece of land to file for water. But you do have to put it to beneficial use, at some point, to obtain a certificate.

RM: Well, a beneficial use would have been selling it to Las Vegas.

DH: The applicant, the city of Las Vegas (or whoever it is), would be putting this water to domestic or commercial use — still beneficial uses.

RM: So a private interest could have done that.

DH: Yes. I understand Eco-Vision in the northeastern part of Nevada is applying for unappropriated waters.

RM: They might not have gotten very far, but . . .

DH: But it's possible, as long as you eventually put that water to beneficial use. Again, Bob, this discussion is mostly about domestic or commercial use, which I have limited knowledge of. I know there are other rules I am not aware of.

RM: As a side issue to all of this, I'm sure you're familiar with Bob Wilson and his problems?

DH: Oh, yes.

RM: I interviewed Bob, and I'd known him since the '50s. I always liked him.

DH: Oh, yes, he was a wonderful man. He helped us put our pipeline in here at the ranch; he was just wonderful.

RM: I always thought that the Forest Service was really being unfair to him — almost downright mean or vindictive. How did you see his conflict with them?

DH: I think that's very true, Bob. I saw it the same way. You're probably talking about his South Twin mine.

RM: Right.

DH: Basically, as I understand it, what happened was the access road to his mine had gone within the wilderness area a ways. I understand the mine itself is not in the wilderness area, but the access was partly in the wilderness area of Arc Dame. The Sierra Club and others evidently made the Forest Service restrict Bob from taking his mining vehicles up the access to the mine because it was in the wilderness area. And we all know Bob Wilson. He was hard of hearing in his later years and couldn't hear half the things you were saying. But he was right! They were simply denying him access to his private property.

RM: And the road had been there; it had just washed out.

DH: Exactly. It was an old, grandfathered access, you might say, or an old easement, so it wasn't something brand new. Bob tried to fight the Forest Service on this issue.

Unfortunately, again through FLPMA, the Forest Service had managerial latitudes by which to do this; they had the legal ability to be able to harass Bob and put the burden on him to fight back. He spent the last 10 or 15 years of his life fighting them. However, in all fairness to the Forest Service, Nick Zufelt from the Sparks office tried to work as best he could for Bob's interest. However, by the time he came into the picture, Bob was so bitter he would not even listen.

RM: And Bob knew he wasn't going last forever.

DH: No. Some people felt that the Forest Service was just going to wait him out.

RM: Oh, yes. In fact, he told me that.

DH: Bob finally got mad. This was 2 years ago, I think; 2 summers ago.

He just said, "I'm going up to my mine. I don't care. I'm going up there." I guess there was a gate — Bob's gate that he had put up years ago. I guess there was a Forest Service lock on it, and he broke it. Bob had always had his lock on it, but the Forest Service put one on it. So he broke it and went up and took his equipment in there. He was going to go do whatever he was trying to do up there with his mine, and they stopped him. Bob and his wife, Alice, had to go to Las Vegas and they were criminally indicted at that point.

RM: [Sounds of dismay]

DH: Can you believe . . . he and Alice, his wife.

RM: They indicted Alice, too? Good lord.

DH: Yes, they did. They had to pay, I think it was \$4000 or \$5000 dollars in penalties, and they were on probation and had a probation officer! If you can believe that.

RM: Oh, my god!

DH: That was up until both their deaths. Ironically, the probation officer never even came up to Smoky; he just called them up every so often. But can you imagine — these 2 people. Now, isn't that awful?

RM: Hideous. A guy who just wanted to have his road that had always been there.

DH: That's right, a road that was there before the wilderness area was even thought of.

RM: I think he made a mistake of it when it washed out in '82, wasn't it? That big winter when we had all that snow?

DH: Yes, we had the tremendous flood.

RM: I think if he'd just gone up and fixed up the road . . . I think he told them he was going to do it, or something.

DH: Maybe.

RM: If he'd just gone up and fixed it, nobody would have known the difference.

DH: That's probably right. In fact, that is one interesting thing that we're finding — when people are getting crossways with the Forest Service, the first thing the Forest Service says is, "Tell us next time you're going to do something." (If they let you off, or they're not too hard on you.) Then when you tell them, that's when you seem to get in trouble. I've seen that happen in about 3 or 4 cases. So when you try to get along with them, it doesn't seem like you can do it anymore.

RM: And I don't see any administration or movement coming down the pike within our lifetimes that's going to reverse this; do you?

DH: I don't either. Especially because of the extremely strong environmental movement. Again, there's nothing wrong with that within its own realm, or area.

RM: Sure; I'm for the environment; yes.

DH: I think everyone is; I don't know of anyone who isn't. But it's gone to extremes, as we all know, in lots of places — the spotted owl and the goshawk and the Lahontan cutthroat trout, and all these things — the endangered species. They're not thinking out these acts that are being passed to protect the environment. They're putting people out of work. They're destroying businesses right and left.

As I mentioned earlier, if there is an endangered plant in the riparian area, or anywhere in your allotment (but mostly in the riparian, because that's where they seem to be focusing) if the cow eats even one endangered plant, or a small percentage of those plants, your cows may be off that allotment in 5 minutes.

RM: Is that right?

DH: You're gone. So now it's not even 55 percent, if you happen to have an endangered plant . .

RM: Oh, they're off the whole allotment.

DH: They're off the whole allotment.

RM: Are there endangered plants up there?

DH: There are a few, evidently. I haven't heard yet of anybody permanently going off the allotment because of a native plant, but I have heard of some references to endangered plants in the area. So it can happen. They have the ability to do this.

CHAPTER SEVEN

RM: You were talking about sheep?

DH: Our records show that in excess of 30,000 sheep were ranging at one time in this valley and part of Monitor and part of Reese River in approximately 1907.

RM: OK, the 3 ranges.

DH: Right; they supported in excess of 30,000 sheep along with large numbers of cattle.

RM: Another thing about the cattle business here -- they tell me up north that there was a very severe winter, I think it was 1889 and '90, and before that, they didn't bring their cows in, in the winter. And they virtually lost all of the cows. After that they began feeding in the winter, and that was when they began putting up hay up there for their cattle. Of course, they always did it for the horses and whatnot. But that was when they had to start bringing them in, in the winter. They said the dividing line for this practice was somewhere around Eureka. You don't bring them in, in the winter, do you?

DH: They bring them off the Forest Service land in the fall, actually, but they put them on BLM rangeland.

RM: So you don't feed them in the winter.

DH: No. A range outfit doesn't, except some off-quality cattle, or they might have to hold them for a few days for whatever reason.

RM: I understand that this is one of the last places in the country, if not the world, where they still range all year.

DH: It is certainly one of the few areas left. When I think about it, up around the Austin area and Battle Mountain I think they still run out on BLM in the winter. That's probably about it, though. And then on down, through Smoky, Monitor, Reese River; that's correct. Also below Tonopah and southeast, like Joe Fallini's place. There is little or no Forest Service land down there; it's all BLM range.

RM: And there aren't that many cows as you go on south, are there? Well, there's Lida.

DH: Yes, there's the Lida area. And there are a couple of good-sized ranches south and southeast of here. I assume they run all year around out there on BLM rangeland, but I'm not sure. Again, there's just no base property big enough to support [a large cattle operation].

RM: And then by the time you get to Beatty, there are just no cows.

DH: Southern Nye and Clark counties don't seem to have many cows on the range. There's a little bit up in Charleston, I understand, but very limited; there's almost nothing there anymore.

RM: It's interesting, and it's surely not a new insight by me, but the federal government owns so much of the land in Nevada. And they're playing more and more a negative role as far as I'm concerned in terms of the development of the state, in terms of people being able to live here. Basically, through I think the '50s, there was a lot of land that came into private ownership in the Las Vegas Valley. You could go out and get 2 or 3 acres on the Strip for around \$100 back in the late '40s and '50s. If you look at a map, there are parcels all over that valley that are in private ownership. The government has forced all of this growth into the Las Vegas Valley, which now is rapidly becoming uninhabitable.

There's some private land in Pahrump, in the Amargosa Valley, over 'around Moapa, and up in the Pahranagat Valley, but basically there's very little private land for this state to develop on. [The federal government is behaving] like an overprotective mother on all of this federal land, and they're not letting anything happen.

DH: I agree.

RM: I think Nevada will grow other communities, if they can get the land. Because there is water. They're not going to have huge cities, but they'll have some nice towns.

DH: Oh, yes. Unfortunately, when Nevada became a state . . . if you read the Nevada constitution, in the enabling act we agreed to give up 98 percent of the land to the United States. We must've wanted to get in [the Union] pretty badly.

RM: I interviewed the Rosen family, who were the founders of Preferred Equities in Pahrump. They said that Leonard Rosen knew where the private land was and where the government land was and he also knew where the water was. He said Pahrump was the place because it's the only place that's got a lot of private land and a lot of water, outside of Moapa.

DH: Well, he was right.

RM: And you could have that in other places where there's water, if they would get off the land.

DH: The government, I'm sure, knows that.

RM: Do you have a wild horse problem that you folks have to deal with? DH: No, not up in this area to any great extent, although Mr. Colvin, around Lone Mountain, does. The problem is mostly down around Joe Fallini's ranch, more in the desert area.

RM: They're more on BLM land?

DH: Yes, I don't think Joe has any forest; I'm not sure, but I think he's all BLM land. And he's the one who had the most trouble with the wild horse. You know, he had a court case.

RM: Yes, right. He won in the Supreme Court.

DH: Joe is a very intelligent man; he hired the right attorneys and he did his research. He did not expect anything more than he thought he was entitled to. He had everything together when he went in there and really did it right. That's what you have to do.

RM: Why don't you talk about that for the tape.

DH: This is, I think, the basic story; I don't know all the details. A little background of the case was that his wild horses were drinking most all of the water from his stock-watering wells that he and his predecessors had developed for the cattle. He devised a little cage or gate of some kind to keep the wild horses out. The cattle were able to water, but not the horses. The BLM ordered him to remove the obstacles for the wild horses. There were pressures, I understand, from wild horse groups — saying that it was illegal for him to do that. Joe refused to remove the obstacles for the horses, claiming they were drinking his water; that is, using his private property.

He presented it really well in the district court, and he won. The BLM had to allow him to use the cages. The decision was appealed to the Nevada Supreme Court and it was upheld. One thing he did do, which was really smart — Joe left a large spring alone. He allowed the horses to water there. So he didn't come across as a cruel person.

RM: Right. He also got a reduction in the number of horses on his range, didn't he?

DH: I don't know.

RM: I think he did.

DH: You might know more than I do about that.

RM: I wouldn't swear to it. But there were many horses on his range and I think he got them reduced to a smaller number.

DH: Well, that's probably right, too, because they were just taking over. Joe said there were just a few originally and he could live with them, but then they increased to such a degree that it was a severe interference with his cattle operation. Down around Tonopah, and on the Lone Mountain area, the RO livestock has a BLM allotment, and they have some problems with horses.

RM: Yes, I've seen the horses down there.

DH: And as I said, Mr. Colvin, on the other side of Lone Mountain . . RM: Oh, over toward Silver Peak.

DH: I'm not absolutely sure. But he has wild horse problems, too. But here in Smoky Valley . .

RM: Why don't the horses come up here?

DH: I don't know. I've seen a few bands of wild horses up around the Austin area and on the north end of Smoky and on the way to Fallon. I've seen a couple of bands in Reese River and some over around the Cold Springs area. I assume that they also run up in the foothills.

RM: Well, they are a plains animal.

DH: Exactly.

RM: I think that's their evolution — where they can run from a predator. DH: Right; and as long as they have a little water, then they can make it.

RM: In a mountain they probably don't have a chance with a lion or other predator.

DH: Horses, I think, mostly are not a mountain-climbing kind of animal; that's not their natural gait or their natural area.

RM: So they just self-select out of here.

DH: Probably. Of course, mostly the wild horse, as I know you know, is just an old horse that was turned out by a rancher years ago, not really a true mustang. I guess there really isn't one left here now.

RM: We used to chase them. We hunted them.

DH: Did you? [Laughs] Yes, a lot of people were hired to do that. The horses do get to be too much in population because of their protection.

RM: Oh, it's terrible. You go across some of these valleys and you see more horses than cows. I think that you and Carl have made a significant historical statement about a possible settlement being here prior to the Austin-based influx. To me, that's really interesting. And this trail that apparently came across from Mono Lake, ending up in Belmont, must've been coming across before Belmont was founded. Because Belmont was about 1865, wasn't it? I don't think the trail originally went to Belmont. They probably extended it or something. Or maybe there were communities over in Belmont before the Belmont discovery.

DH: We have not finished our total research on that. Because it's connected with the San Antone Ranch. When I first met you we were telling you about the records in Aurora, and the boundary fight between California and Nevada, so it would probably be better when we finish that whole research to tell you more about it then.

RM: I'd like to know as much about that as I can, because I think a lot of what you're doing is a new contribution to the history of the area. I think this trail and the whole southern settlement pattern is a significant contribution to the history of this part of the state.

DH: I think it is, too.

RM: This trail from Mono Lake predates 1863, according to what you and Carl were saying last time. He said that when they came down here, there were 300 Mexicans working at the Liberty Mine in 1862, or earlier.

DH: That's right. I think that the Liberty Mine was founded either in '62 or '63, and that's before the trail came through.

RM: But to me, that weakens your case. The traditional [position] is that the prospectors fanned out of Austin and came south and eventually wound up down there. But Carl and you are saying that no, it had a different origin down here.

DH: It did; I'm sure about it.

[Tape is turned off for a while.]

RM: OK, we're talking about the San Antone Ranch. And the earliest document you've found for that ranch is December 17, 1863.

DH: Right. We think the existing springs that are there now were the first place where they staked out an agricultural plot.

RM: In this area.

DH: Well, yes; on Peavine Creek.

RM: You think that this-predates any ranch or farm in Smoky Valley. DH: We think that it does, according to our research. The other ones start in late 1864 [and early] 1865. This is the earliest survey that we've found.

RM: So speculating on the reason why a person would locate a ranch in what was basically a god-forsaken place with no markets ..

DH: Right — that was because of the Liberty Mine, which probably preceded that. I think we can even find this in Stanley's book [Stanley Paher's Nevada Ghost Towns and Mining Camps] . We understand that the mill to the Liberty Mine was located around the San Antone area, around those water springs.

RM: Around the ranch, where there were these springs.

DH: Right. Then probably a year later is when they staked out an agricultural claim around these springs.

RM: So you're saying you think it might have been 1862 that the Liberty Mine . . .

DH: That the Liberty Mine was active. OK, let's look this up. Because I think that Stanley has this.

[Tape is turned off for a while.]

RM: Are there some really good springs at the ranch?

DH: Yes, there are some exceptional springs in that area.

RM: So it would make sense to have a ranch there to feed the miners [as well as a mill] to process the ore.

DH: Let's read what Stanley says: "San Antonio. Ten miles west and southwest of state route 8-A, at a point 42 miles north of Tonopah. Nevada's most famous stage station, a 20-room 2-story structure of adobe brick, rose from the sage about 1865, to accommodate north-south travelers to Silver Peak, Gold Mountain, Death Valley, and east-west travelers to Belmont." You see, he confirms this, pretty much. "In October 1863, Mexicans had discovered gold in the west flank of the San Antonio Mountains 15 miles to the south. Within a year, 200 miners were working at the Liberty and other mines, and a camp called Potomac rose near San Lorenzo Spring. Arrastras treated local ore, but high-grade was hauled to the mill in Washington, almost 100 miles north." OK, that's what he has. And we have evidence showing a mill.

RM: He says October of '63 was the discovery, and you've got this ranch being filed on in December 1863.

DH: And then he also says here, "The returns of \$600 a ton prompted the building, in 1865-1866, of a 10-stamp pioneer mill at Indian Springs," which is referred to in these documents.

RM: Is it part of the springs complex you were talking about?

DH: Well, it says 5 miles north of San Antonio, so I think it's a second set of springs — I don't think it's the original set. A settlement was also started there, because the stage station was before that. The stamp mill at Indian Springs was '65 and '66, and . . . well, they're pretty close. But he's still before [that date]. I'm trying to think, right now, of where the Indian Springs exactly were.

RM: When was the RO headquarters first surveyed?

DH: In 1866.

RM: And when was the Wine Glass filed on?

DH: I think it was '66.

RM: So they're all more than 2 years after San Antone.

DH: Yes. We're not talking about a long time, but so far our research shows the possibility of 1863 or even 1862 as the first settlement, well before the date of Austin's founding.

RM: Well, that's a significant length of time in terms of development. DH: Right. Let's see — then Stanley's book talks about more recent things. But the Liberty Mine and mill shut down in 1868. "San Antone remained open, and early this century was a noted landmark and station for individuals headed for the Tonopah and Goldfield bonanzas," which might have been through here, as well as coming . .

As we told you earlier, we did pick up a discussion of a Mono road to Belmont from a tax record. It said the road came from the Mono Lake area. There are no old records in Goldfield for Esmeralda County. The old records started in Aurora, then after the California-Nevada state line was officially determined, the California records were moved to Bodie, California, and now they're in Bridgeport. That was quite a story! Cloverdale is also on this road from Mono to Belmont, being really an old place. There are also ruins of a stage stop there. (And of course Stanley mentions that.)

RM: How old was Cloverdale?

DH: The earliest document we can find on Cloverdale was a power of attorney dated October 25, 1865. But again, we have reason to believe that it was older and was connected with San Antone.

RM: Where do you think they were bringing supplies for that Liberty Mine from? There was nothing to the south.

DH: I imagine it could have been over that road from Mono Lake.

RM: What did they do go over to Mono Lake, and then down from Reno or Carson? Virginia City would've been going good then. What was coming up from L.A.? Nothing?

DH: This mine was at San Antone in 1862, we think, which precedes Austin and any of their mines. It must've been a very rich mine of some kind, and the miners were Mexicans. OK, where did they come from? Austin was not on by then, so they wouldn't have come down Smoky to get to San Antone.

Let's say for example that the Spanish came up from the south and founded this Liberty Mine, which is altogether possible. Well, the mine was such a good one — and that shows all in

our records — that subsequent to that, which was say in 1862, by 1864, 1865, Belmont gets going, and all of a sudden now you're getting this traffic from possibly Mono, coming across, going to Cloverdale — going, now, right to Belmont and passing through San Antone. And then the stage station rises. But the mine was going on, and maybe they came in from another area. I think that's probable.

It's just that San Antone Ranch is the oldest ranch in Smoky Valley from our records, and the Liberty Mine precedes Belmont, and it precedes Ophir and Silver Peak. And we know that there was a 20-room stage way station built. (We can still see the ruins.) So it could be that it was Mexicans who could have come up from the south, founded the Liberty Mine, then the mill was around the San Antone Ranch area, and then all of a sudden, Belmont becomes active. Then (we think) through Mono, a station goes up — and that's what we think may have happened.

RM: That's a nice theory.

DH: We must complete our research before we can make any more conclusions, but it is beginning to lean in the direction we have discussed here.

CHAPTER EIGHT

DH: As Carl told you, when we went over to Bridgeport we talked to one lady who said that somebody had gone into their vault and thrown out all the old records (in the dump — can you believe it), but that a lady's grandfather, who was a previous county recorder, had retrieved the books.

RM: What a story.

DH: What a story is right. We have contacted this lady. Her name is Julie Bolt, and she lives in Gardnerville. I have talked to her and we have a date to go through her grandfather's books.

RM: That would make a good article for all kinds of magazines or journals. Are your interests in this curiosity, or do you and Carl plan to publish a book or something?

DH: Right now, we're doing it strictly for research as part of the water rights for our client.

RM: So you don't mind me corresponding . . . of course I'll cite you as the authors of the ideas, but you don't mind if I put them in the book?

DH: Oh, not at all. But we still have to substantiate it. Carl and I were talking about you and the book you are doing on Smoky Valley. We are so glad you are doing the book. We [hope we] can help you with your book through these talks and any other way. But I think your idea that the Mexicans came from the south end of Nevada to the Liberty Mine is plausible.

RM: Perhaps Mexicans were coming up off the Spanish Trail.

DH: Sure. But I do know that the road from Mono existed, and I do know it went to Belmont. And we do know that ranch is the oldest in the valley. So . . .

RM: What's really interesting is to think about when they actually came up here. Who knows when the Mexicans actually were looking around. They were walking right over Goldfield; they were walking over Round Mountain; they were walking over Tonopah; and that rich ore was all sticking out of the ground. Isn't that something? And they found [the Liberty], which wasn't the real bonanza. They walked right over the real bonanza.

DH: That's incredible.

[Tape is turned off for a while.]

RM: [You're telling me about the] dividing line between the Darroughs' ranch, which was called the Hot Springs Ranch, and the Wine Glass Ranch, which was called the Cold Springs?

DH: That's right. There was a definite dividing line in the temperatures of the water of the springs of the 2 ranches. And you can tell it to this day. It's almost exactly where the ranch boundaries are now.

RM: Oh — the springs have a different temperature.

DH: The springs have a different temperature. They're kind of lukewarm on the north end of our place, and then they get colder as they cone south. And then of course Darroughs' is scalding. About a quarter of a mile past our fence line into Darroughs', there is a good-sized hot Spring.

RM: Does that mean the water has a different source?

DH: Yes, I think ours has a shallower source and Darroughs' is deeper. We drilled in the north corner of our place, and we went down 3500 feet. We were looking for geothermal, because it was so close to Darroughs'. We drilled 3500 feet, and we found 128-degree water.

RM: Is that enough for geothermal?

DH: No; it's not high enough for geothermal.

RM: Whereas you go a mile or two up there . .

DH: About a mile, and theirs is 265 degrees. Theirs is not as deep, either. Darrough only went about 800 feet down, I understand; that's quite a difference.

RM: What do you consider the Smoky Valley?

DH: In my view, it goes to the Austin-Eureka highway. I don't think they consider Smoky any farther north than that.

RM: And how far south do you feel Smoky goes?

DH: Oh, probably to this side of Lone Mountain. That's lower Smoky, what we call the Tonopah Flats and down through there.

[Tape is turned off for a while.]

DH: [Del Haas is making a map.] In here; the early springs. OK, this roughly was where the Liberty Mine would have been.

RM: Where would Tonopah be?

DH: It might be off this map a little, but down at the bottom.

RM: OK. So that's San Antone.

DH: Yes, that's the San Antone Ranch. That's the first one that concerns us. This is lower Smoky and this also would be probably worth researching, Bob, for some of your more modern ranches. There's been a lot of development down in this lower Smoky area. It's modern farming, but there are also some small places, 5- or 10-acre places, that were developed when the Anaconda mine was going a few years back. People bought property and they've retired there. There's quite a nice little community there; I was surprised.

RM: Oh, really. Where is it?

DH: Well, if you're going to go toward Peavine it's off the Pole Line road. You know how it goes down here and the road goes up to Peavine? It splits here and then this road goes up to Peavine Ranch.

RM: Oh, you mean this is the highway, here.

DH: Yes, this is our main highway. And Hadley, you might say, is roughly right here. As you turn off to Peavine . . . Peavine, by the way, is an old ranch; not as old as San Antone, though. And then San Antone's here. And then as you stay on this road . . . I don't know exactly where that Gabbs Pole Line comes in. But anyway, as you go down here and you go right by the Anaconda mine, which is more down in here . . .

RM: Is that a good road?

DH: Yes; very good. If there's heavy snow or something it can get pretty bad in places, but when it's dry, it's quite passable. And then of course it's paved from Anaconda 18 miles into Tonopah. You're going to find some [irrigation] pivots here; some farms.

RM: There are pivots there?

DH: Yes. And then there are some smaller little acreages in here. The main person to get hold of there is Dick Reason.

RM: Was he the one who pioneered it?

DH: No, he's a newcomer, but he knows a lot about the area. And also Glade Quilter.

RM: They're probably Desert Land Entries, aren't they?

DH: I have no idea, but most likely. This is a more recent producing area of lower Smoky. Then Cloverdale is around over here.

RM; Kind of on the Reese River side.

DH: Right. In fact, Reese River goes up in here and you have your ranches . . . The head of Reese River is up in the Toiyabes. The head of Reese River starts about right in here. In fact, it's just up above the Wine Glass. Then there is a creek called Indian Valley Creek which flows into Reese River, and its source is also from the mountains, a little bit farther over here. Indian Creek starts up here and runs through a ranch called Indian Valley. It's a tributary, really, of Reese River. Cloverdale also has its source up in the mountains and it comes down on the southwest side.

RM: Oh, it flows south — so this is a divide up here.

DH: Exactly. Indian Valley flows north into Reese River and Clover-dale's source of water flows south. It's a nice little place. You should go there; it's one of the prettiest little hideaways in Smoky. It's just a small field, not very much deeded acreage, but it has the old stone stage stop ruin there, and the road that leads to it. Evidently — this is what we've got to try to confirm — it was part of this Mono road.

RM: Oh — that was the Mono road. So it went up to Cloverdale and then cut back . .

DH: Came back down to San Antone and then went to . .

RM: But it didn't hit Peavine.

DH: Well, no; it went south of Peavine Ranch. It came straighter, I guess; I'm not exactly sure how it came up there. It was a stage stop, and then it came back down around Peavine, through San Antone, and on to Belmont.

PM: Have you ever flown over to see if you could see it?

DH: I have never really looked that closely. But we will.

RM: Sometimes those old roads really last and you can see them from the air.

DH: Yes, they do. We can make an effort to do that. But anyway, that's Cloverdale. That's Peavine Ranch, San Antone . . . now you have some modern ranches.

RM: Carver's [Station] would be in here.

DH: Yes; Carver's is right in here. There are some little ones — there's Pablo Canyon Ranch, which sits about right in here. We have not researched sate of these and this is one of them. This belongs to Bill Osterhoudt, and it's just a little place, but I'll bet it's an old one. It's really a pretty little place; it sits up in that canyon there. Then south of Hadley there are 3 pivots. That's a new one; that was probably a Desert Land Entry, or something. There's nothing over here, to my knowledge.

RM: Nothing on the east side of the highway?

DH: No, but we have run into some activity historically in Jefferson Canyon. Then Hadley is down here.

RM: That's a fine map.

DH: Well, from the air . . . [Laughs] When you fly, you can see them all. There's Jefferson Canyon; Jefferson's over here.

RM: Right; Jefferson would be a little north.

DH: There is another small but beautiful place — it is called Barker Creek, I think. It sits up in those mountains, right out our window. OK, Carver's. And there's the Wine Glass, here. And then Darroughs' is next to us — the old hot springs. And of course Dick Carver has the Carver Ranch. And he also has one out here called the Crowell field, which was named after the founder; but it now belongs to Dick. Larry Fisher has a nice alfalfa field going here, and it was a recent DLE; I know that for sure. And then Darroughs'. Then Roger Berg is next, then Russell Berg, both old ranchers. And then the RO headquarters is next; it's the biggest one.

RM: And there's public land in between?

DH: Yes, there's public land between the RO and Russell Berg. I think the next one is the Turk Ranch, also old, which sits back off the highway. It was called Tate's Station, and there is a Nevada state marker there. The highway goes through the west side of Smoky Valley. Just before Turk's ranch there is a new DLE just recently put in.

RM: And then, what's this one?

DH: This man — I don't know his name — has been here for 2 years. He's new. Turk's is that one over there. Bordering that is the Millett Ranch, another old ranch. George and Linda Manley own that. We did water research for them.

RM: Do you have that research here?

DH: No, I'll have to get that for you. I'll ask George; I'm sure he won't care, but I should ask him.

RM: Actually, the more this gets in circulation, [the more] it establishes a claim. You can say, "Well, it says in such-and-such a book, right here."

DH: That's true. And then over here is the Charnock Ranch. And that's part of the RO holdings now. That was also a very old ranch. Now let me see here — after Millett I guess is the McCloud Ranch, which Larry and Skook Berg now own. That's a nice ranch. It's had several names. It was

called Smoky Valley Boys Ranch. At that time the Nielsons from Las Vegas owned it and people called it the Nielson Ranch. But it was the old McCloud Ranch; everybody calls it that. We haven't completed the research on that one. Then Blue Springs is next, right in here. It's an RO holding with a great history to it; a very old place. It's all little springs. Next to that there's a little 40-acre parcel that belongs to Marge and George Reynolds. That was originally part of the Hefferin Ranch. Then comes the old Hefferin place, the Twist Ranch; we haven't done complete research on that, but Frank Gendron founded this ranch. It is an old ranch founded in the 1860s. It was called the Gendron Ranch.

RM: Have we crossed the county line yet?

DH: No, not quite. [Laughs] We're getting pretty close. Part of the Gendron Ranch (the Twist Ranch) has been subdivided by the current owner, Dick Gulich. Also, there is Smoky Joe's, part of the Gendron Ranch, now a gas station and convenience store.

RM: Oh, OK, along the highway.

DH: There's also a man who just bought a little piece right above Smoky Joe's. I don't know his name, but he is a doctor. He has maybe 40 acres, back here, about in here, there's a little ranch called Garden Springs that the Kellers own. That's a nice little place; they have about 60 acres, I think. Again, both were originally part of the Gendron Ranch. Then the next one is Triple-T.

RM: Right below the line.

DH: Just below the line. And the old Adobe Ranch, part of which crosses the [county] line, is part of the RO holdings, too. They are really 2 separate ranches, but they all go with the RO. Kingston is next, and the Young Ranch is next to Kingston. Here's the road; it just moved up. [Laughter] And then there's Gillman Springs, which was an old ranch and has now been subdivided, as Del told you. Then there's Birch Creek Ranch, which is also an old ranch. We haven't done research on it. But I am sure it is an old one; it sits back off the main road. So your road comes like that. And then the Youngs also have an alfalfa field down here. And that's it. I'm a little more sketchy about this, but there's a ranch at Moores Creek, and it is probably an old one. The watershed isn't as good over here on the east side of Smoky, Bob.

RM: Oh — there's not as much on the Toquima?

DH: No, not on the west side of the Toquimas. The east side is where most of the watershed is in the Toquima Range.

RM: Because the Toiyabes take it, I guess.

DH: I don't know. That might be kind of interesting geography. But you don't have anything big over there. There's Moores Creek and then there's Northumberland, but that's a mine. There's

no ranch on this side; just the Northumberland Mine. The old Northumberland Mine is on the east side of the Toquimas.

And I don't think there's anything else up here. There is Spencers Hot Springs, which sits up here. Actually, the Toquimas would be all the way, pretty much, there. This is interesting, and it has some history; it's just a bunch of little hot springs.

[Tape is turned off for a while.]

RM: You were talking about how history often takes the male perspective, yet many of these ranches in Smoky Valley wound up owned by women.

DH: That's right. It was mostly because the men died, and the women inherited the ranches. A lot of them stayed on and ran the ranch for quite a while. I was amazed when we were researching to learn how many women were involved in direct ownership and management. I think specifically of the RO, because Catherine Smith, the wife of John L. Smith, who owned it, was a mail-order bride from Missouri. As we've said earlier, she willed it to her children, but the principal child who stayed on was a woman, Emma Rogers. She truly ran the ranch. Carl bought the RO from Emma [because] she had no heirs. The Wine Glass, here, was also run by women for a long time, Annie Moore and Elizabeth Wilson. Those women held it for quite a while. And Louise Gendron, up on the old Gendron place, which is now the Twist Ranch, was an owner for a long time.

RM: So it's been a woman's ranching business, in a way.

DH: It has. They haven't really been left out a lot in Smoky Valley, which is interesting. They've had certainly every bit as much

RM: I think that's probably true in a lot of places. I think that historians leave them out.

DH: I think they do, too.

RM: It seemed like a fair percentage of men died young. And I have an idea it's from the high fat diet.

DH: Oh, do you think so? It could be.

RM: Oh, yes. I think they probably [died of] heart attacks and arteriosclerosis. And women naturally live longer if they can get by the childhood diseases and the childbearing years.

CHAPTER NINE

RM: Carl, let's go back to your knowledge of the earliest ranching in the Smoky Valley.

CH: OK. Having pretty well studied the bulk of the ranchers here in Smoky Valley, and early settlers and so on, I can come up with something like this: Once gold was discovered in Austin — and that story is well enough known that we don't have to worry about it — the settlers began to flock into Austin. Most of them were obviously coming in to hit the big strike in gold and silver. And a combination of circumstances probably occurred. They either (a) got there a little too late to stake a rich claim, or (b) they might have been some sort of natural farmer in the first place, and they began to realize the tremendous importance of trying to settle the land and raise a little food.

Because the price of food — butter, eggs and all that sort of thing — was high. So they began to fan out from Austin. Even though I haven't made a specific search, it seems to me that the first settling began around the immediate Austin area, going up Two Forks and Reese River and coming over the Austin Summit and the trail through there and down into Blackbird Canyon, and then down Smoky Valley. Also they started a road from there over to Kawich, I believe, about the same time. In terms of time, we're probably talking about no later than the spring and summer of 1863. Because, of course, Kingston was discovered in May or April of 1863.

And at the same time there were several toll roads across northern Smoky and into Monitor. There was Adam Stoneberger — he was one of the early founders of northern Monitor. He came across northern Smoky from Austin, and founded some of the ranches in Monitor Valley — the old Potts Ranch and a lot of other ranches there.

RM: What do you know about the toll roads?

CH: The legislature had recently passed an act permitting people to set up toll roads, so they would do so. There were quite a few of them. I know of one toll road that Stoneberger had, and another one down Smoky somewhere.

Most of these settlers would go stake the land. They took the position that if they went out and put monuments of stone on 4 corners, then they would locate 160 acres. Then they would hire a surveyor, and come back and survey it and live on it. That, to them, constituted sufficient certainty for them to call it a possessory right. And of course they picked the old springs and meadows and that sort of thing. So Kingston, Birch Creek, what are now the McCloud ranches — all of them right on down the valley — came at about the same time, within a month or two of each other.

I believe my records show that by November and December they were staking the Twin River ranches there at [what became the] RO, and then they came on down here to the Wine Glass. Again, by October, November and December of 1863, most of these were staked. A man by the name of G. King was the official county surveyor. They very rapidly set up a county seat at Austin, even though Nevada was still a territory. Mr. King did a lot of the surveying, and I think that the idea was probably, "Let's get it surveyed and then record it." Those records are all available in Battle Mountain, in the Lander County courthouse. All the way down through to

here, and right on down Smoky Valley, down into San Antone. All of this area was still Lander County then, because Nye County was not formed until the fall of 1865.

So it appears to me that the [ranches that now make up the RO] were [recorded] days, weeks or months from each other, just one right after another. Obviously they'd stake the finest, best, biggest meadows first.

And some of those were really rare, like Blue Springs. There was a well with a beautiful spring and a meadow. Darroughs Hot Springs, which was called the Hot Springs Ranch, was staked at the same time — November or so. This ranch [the Wine Glass] was called the Cold Springs Ranch, and it bordered what they called the Hot Springs.

RM: Oh — this was the Cold Springs.

CH: This was called the Cold Springs Ranch, yes. And that was called Hot Springs.

RM: The Hot Springs was where Fremont stayed.

CH: Right. We knew that Fremont stopped in the Hot Springs, all right, because I read that in a little piece of work; he talked about that.

Now, hopping around a little bit, there is the RO headquarters, which is Twin River and the 4 canyons to the immediate north — Summit, Wisconsin, Ophir and Last Chance. They were founded by 9 gentlemen, John L. Smith being one of the primary founders who settled more to the northern end. A lot of times 3 or 4 of them would go together and survey 160 acres apiece. They called those ranches the North Twin River Ranch and the South Twin River Ranch. I'll be happy to go get the records; it just takes a minute.

[Tape is turned off for a while.]

CH: Let's just go through these as we can. The Charnock Ranch would be immediately east of the RO headquarters, out there in the valley. It was founded by Richard Charnock in 1864. It says, "See the map attached"; the map refers to one that I found from January 2nd in 1864. And it was also done by King. This is January, and I think we'll find that [what became] the RO was a little bit earlier, like November or December. This wasn't quite as desirable a ranch, I don't think. The Charnock consists of several potholes and springs and some decent meadows. There was no running water there, except just out of the springs. Charnock was the founder, and a man named B. C. Decker became a partner of his by 1878.

RM: Who was Charnock? Do you know anything about him at all?

CH: No, I don't. I know he borrowed some money on this ranch early on. He came from Austin or came through Austin, I believe. Everybody in the valley now calls it [sounds like] Shonnick Ranch — people don't know how to spell it — but in our research we found it to be the Charnock (Sharknock) Ranch. I can't remember how many acres we're talking about, but it's an old place. I notice [on this document] that Charnock's successor, B. C. Decker, was running

more than 150 cattle and 80 horses in 1878, so I don't think Charnock held the ranch very long. In fact, it immediately went into the hands of his successor.

Let's see — let's jump back to the 4 canyons up here, Summit, Wisconsin, Ophir and Last Chance. Those are the ones I know quite a bit about.

RM: OK. Now, these are part of what became the RO?

CH: Right. And they were part of the original holdings that I bought in

1951. And as I say, these were 2 ranches. We also called the Four Canyons Ranch the North Twin River Ranch, and sometimes it was called the Rogers Ranch. It bordered the South Twin River Ranch, and the 2 of them together comprised what I bought in 1951 and put together as the main RO headquarters. They were founded by John L. Smith and others in 1863. And this original map here will tell us what date — I think probably in the fall. Well, he's got another map here dated 1866. This first one was with several men: W. J. Wilson, A. H. Wilson, George Sharp, John L. Smith.....

RM: George Sharp?

CH: George H. Sharp. You're familiar with the Sharps over in Railroad Valley?

RM: Yes, I am; I'm working with them.

CH: I don't know whether George H. Sharp is related to them or not.

RM: I'll have to ask them. There was a George Sharp, back in those days.

CH: George Sharp didn't last very long here. He bought in and staked the land and put the waters of Twin River and the 4 canyons there to the north to beneficial use. They staked the property out November 24th, 1863. So you can bet they hadn't been here too long. From what little I can put together, they didn't stay. They'd find a nice meadow or good water, and, boy, they'd immediately stake it and go back to Austin and get the surveyor, Mr. King, who was doing all the surveying.

RM: How many acres was the North Twin River Ranch?

CH: There were 640 that were staked for the main Twin River water ranch, and then there were about 160 staked for the Four Canyons. This later became a pretty big outfit. It is now the headquarters of probably the largest ranch covering land, in terms of leases, in America. It's much bigger than King Ranch. It's 2 million acres now.

RM: This is the RO

CH: Yes, the RO

RM: There's supposed to be a big ranch up around Elko. Is it bigger than that one?

CH: This is the biggest of all. When I owned it, it was about 1.8 million acres. As far as I knew it was the largest ranch. The King Ranch in Texas was only a million. Of course, we're not talking about land owned in fee simple, we're talking about leases and everything else. But in terms of the actual area covered it is a big outfit; it's got to be about the biggest. The RO incorporates almost all of Smoky Valley, a good portion of Monitor and some of Reese River.

RM: Did it go anywhere else?

CH: No. I spent so much time studying the RO itself because I wanted to know what its background was. I told you about John L. Smith and his marriage and so on in our first meeting.

RM: What did the RO consist of when you acquired it, again?

CH: Now remember, the Rogers' part in 1951 was extremely small. It was kind of strange in that it was only 640 acres of deeded land. And there were only the 4 canyons that supplied it with irrigation water. But because of the boys and the family and the background and the history, they ran cattle all the way almost to Silver Peak and they wintered down on the desert.

RM: Was it just the valley, or was it the Toiyabes, too?

CH: They also ran almost all of this side, here on the Toiyabe side — Train River, the 4 canyons and Reese River. Basically from the ranch south.

RM: The crest of the Toiyabes and the valley?

CH: And they had a winter headquarters at Millers. All these [Smoky Valley] ranches were running in common, all the way through to Millers flat.

RM: So there were other ranches that had grazing rights, too.

CH: Absolutely. Actually, in '51 they were still operating with . . . the first ranch immediately south was what we call the Twin River Ranch, or the Farrington Ranch. Will Farrington owned it up to about that time. I believe he was the son of Arch Farrington. The next ranch that we were involved in was the one here — the Wine Glass — that the Rogers family had bought out. Pete and Mary Rogers and [Pete's sister] Rene had this ranch. Then on down there were the Peavine ranches and then on Millers flat there was Barney Manor, and then some of the owners of the Reese River ranches. So there were 6 or 7 of these ranches that all ran in common, and I began to buy them all out, one at a time.

As I said the other day, after I bought the RO I bought the Millers ranch. Then I bought this ranch, which is the Wine Glass. And then I bought Cloverdale Ranch. By that time I'd put 5

of them together; that pretty well covered this end of the valley. Jumping back to the RO, the brand was the RO brand, so I took this brand and called it the RO Ranch.

RM: When did Emma really take over the RO?

CH: She just gradually took it over; stayed there and worked there.

RM: Was she the boss when her 2 brothers were still living?

CH: I doubt that. I imagine that Ben was. I wouldn't know exactly, but Ben was a very powerful and forceful character — a great cowboy and a great roper. Probably the 3 of them jointly ran the ranch. I can't recall hearing anything to the contrary.

RM: Ben was the one who got the Wine Glass?

CH: Right. He married Grace Anderson and they had the 2 kids --- Pete and Irene ["Rene" Berg Zaval]. After Ben's death, Emma bought them out. She bought them out of the RO by giving them this ranch and some cattle and some other settlement. So that's how this was spun out from the RO

CHAPTER TEN

CH: That's the original founding of the RO in a nutshell.

RM: Discuss the physical plant of the RO when you took it over. What was there?

CH: Being such a small place, and having such a small acreage, and being such a big range outfit, there wasn't much. We didn't even have a truck till 1951. All the ranch had in the form of equipment was a pickup. It was about the same way the place was run 100 years ago. We were just plain ropers and riders; we had no mechanized equipment except some mowers and rakes that were handled by a team. We had 2 teams — Flossie and Lucy and John and Roanie. When we went south, we rode down there with pack horses and that sort of thing. In the fall we'd start gathering our cattle and taking the drive south. We would put the steers into the home ranch and sell them, and we'd take all the rest of the cattle down to the desert and they'd winter there, then we'd start up the next spring.

RM: What are you calling "the desert"?

CH: Millers, Monte Cristo . . .

RM: Were you up in the mountains, or just on the flanks of the mountains?

CH: It was almost all in the valleys, except we did go up in the little Monte Cristo Mountains some. And the Gilbert Mountains, and even over to Crow Springs and in through there. They pretty much wintered on the desert, on the various water holes.

RM: How many cattle came with the RO?

CH: The original purchase was only about 1000 head.

RM: Out of 1000 head, how many were you selling a year?

CH: The way they operated was very strange. When I took over, they were still operating as they did in the old days. Even during the First and Second World Wars they had continued to raise big, old steers. They wouldn't sell a steer till it was at least 3 years old. As a result, to us, a little steer was a 1000-pound steer. (A real baby steer's 600, 700 pounds; maybe a 2-year-old.) It always sticks in my mind . . . in the fall of 1951, when I bought them out, I'd sold the steers down that year. Immediately after the purchase I sold down everything that I could find that was a 2-year-old, a 3-year-old, and above. We had a bet on 2 of the steers. One weighed 1440 and the other weighed 1460 pounds. [Chuckles] It took some cowboys to handle these. They were like handling nitroglycerine. It was something.

RM: Is that right? They were what they'd call an old mossback?

CH: Oh, yes.

RM: What was it like, handling them? What would they do?

CH: They already knew everything you wanted them to do. They knew exactly where you wanted to go. If you got behind them and turned them a little bit . . . you could work them from a quarter of a mile away, almost. But don't ever get them mad, or don't ever get them hot.

RM: How would you get them mad?

CH: By running them or jamming them in the corral or something like that.

RM: What would they do?

CH: They could jump over a 6-foot fence — just hop over it as if it didn't [exist]. And they could tear that corral all to hell. [Laughter]

You handled them very easily or you didn't handle them at all. It took 4 riders to hold them — 4 ropers. You'd have to take 2 on the head, opposite each other, and 2 on the hind feet, opposite.

RM: What would happen if you only had 2 people?

CH: Oh, he'd pull them. A steer like that can just move his head and pull one rider — horse, rider and all. He can take an ordinary 1000-pound horse and a rider and everything else and just slide them. One roper didn't have a chance.

RM: Would the saddle ever come off?

CH: Oh, sure. Cinches break, everything. Now, that was real, honest to god cowboying. I mean, it was tough. I have one movie left of those steers in 1951; you can see them.

RM: How did you get a rope on one?

CH: Quick as you could, you'd get 2 ropes on his head. That would at least get him slowed down a little bit. Then you'd come in with 2 more, and get his hind feet and then stretch him out. That's if you wanted to do something with him, if he had a horn growing into his head or something. You didn't do that unless you had to, because we had no squeeze chutes in those days.

RM: Did one of those old steers ever attack?

CH: Oh, sure.

RM: What would they do when they attacked?

CH; [Laughs] Oh, well, they'd just run right straight at you. Why, they could knock you silly.

RM: What would happen?

CH: You just didn't let it happen.

RM: What did you do when of them came at you?

CH: You jumped the fence. You'd try to run ahead of them if you were on foot.

RM: Would they try to hook you with a horn?

CH: Sure. But not too many of them had horns; we tried to eliminate that problem. If they got mad, they would run at you and butt you. And of course they were so strong, if you had them behind a gate, they could kick it or kick a 2-by-6 or something and just break it like kindling. They were an incredibly powerful animal.

RM: Was their meat tough?

CH: We never ate very many of the big steers, but, no, it would depend almost entirely on their condition. If you put them on a meadow for a while and they were gaining, I don't think they'd be tough, oddly enough. We have eaten a few big steers, and they have a fine taste; a powerful taste.

RM: Were they Herefords?

CH: Most of these were the remnant of Herefords and crosses with black bald-faces. There were a few Angus crosses in there. But they all had the Hereford.

I remember a story about Emma, from 1951. I was a young guy and I had all these ideas that this had to be the most inefficient way to run a ranch in the world; that if you have a steer it took one year for him to be born, and then you're going to hold him for 4 or 5 years . . . it's been 6 years, and you've got to add on taxes and grief and this that and the other. I figured that selling weaners or yearlings would be much more efficient financially.

So I asked her a question. I said, "Emma, how care you raise these big steers?"

And she said, "Well, a steer gets awfully poor before he dies."

What she meant by that was, you could take one of those big steers and turn him out, and you never had to worry. He could get fat on nothing. He could travel 20 miles from water; he could range on top of these mountains; he could do whatever. And he didn't care about droughts — a 2-, 3-, 5-year drought; he didn't care. And all those big steers would come in fat, by the way. I mean, fat, when something else would die. They were like a bunch of horses. They could literally forage; they were tough.

While we're still on Emma, among the many stories I could tell . . . she and the family never borrowed a dollar on that ranch. The toughest time, of course, was during the

Depression. She told me that she had a fellow working for her — Butch something — and he didn't draw his wages for 2 or 3 years. It was one of those rare places where she never borrowed a dime, but she toughed it out and made the ranch work and she was very successful.

RM: Were there ditches that came with the ranch, or did you put those in later?

CH: We just finished the research on all the easements and ditches and everything else. The ditches had been put in by the earliest founders. The irrigation ditches from the mountains were in, probably, by 1865. They put an orchard in Summit Canyon. (They always raised the orchard above the floor of the valley because the cold air settled in and caused frost.) But all of those ditches and everything else were in operation, easily, by 1865, and probably by '64.

RM: How did they put in a ditch in those days?

CH: They had a team and plow that kicked the dirt around. And some of them had the old 2-handled bucket, that scoop-like thing with 2 handles on it — a Fresno. The rest [of the work would be done by] muscle and hand.

RM: Did they go in pretty fast, or was it slow?

CH: Well, you always went to the place where it was easiest to get the water out so you could contour. Let's say that Mother Nature had a ditch, where water was running down a natural channel. You'd try to find a place where you could come along the side on a contour and intercept a stream so that the water would come out of it. You had to get it out of that channel, because the channel cuts down and then it gets into the alluvial fan and just disappears in nothing flat. You had to get it out of there and use the earth's mantle and the clay and the soil and the dirt — you put your ditch [in soil that's not] porous.

Every ranch did exactly the same thing. In almost every ranch in this valley, the point of diversion of those streams was right in the very, very point of the mouth of the canyon. There's an exception to that I just ran into the other day that surprised me. It's up here at the McCloud Ranch, up McCloud Creek. (Skook Berg owns it right now.) They just couldn't get it out [at that point] till they went a little farther away from the canyon. But almost all of them were at the mouth of the canyon.

RM: Let's mention where Ben Rogers' family is now.

CH: Irene [Rene Berg Zaval], the daughter, who owned half of this ranch, is still alive [and lives in Smoky Valley]. And Pete, the son, lives over in Fallon. Let's see, the estate of Catherine Rogers was 1926, and the estate of Ben was 1931. In 1936 we have some deeds back and forth between Grace and the kids — Irene and so on. We can pretty much assume that not long after 1931, Emma was the supreme commander.

RM: Basically she was supreme commander for 20 years, till she sold out to you.

CH: At least that; yes. I think she always took a pretty active role in the operation of it.

RM: What finally became of Emma?

CH: After I bought her out, she moved up to Round Mountain. She bought a little house up there, because her sister Katie was there. Katie had married Karl Berg and gone over to Mina. They had 2 daughters, and both of them died young.

RM: Was he one of the Round Mountain Bergs?

CH: Yes. As a matter of fact, I was in the picture when he died. By 1947 or '48 they had him in an institution out in California or somewhere. They brought him up here and he later went to the Tonopah hospital and died there. That was about 1948 or '49, right before I bought the ranch.

RM: So Emma and her sister lived together?

CH: Katie had lived down here before I bought them out. When I bought the RO there was Emma, Katie and Harry and Lena, back east, who owned a small piece. After I bought Emma out they moved to Round Mountain. Katie had a little house up there already, and Emma bought another little house.

RM: When did Emma pass on?

CH: I'm trying to remember that. I think I was in Mexico; I can't remember. It could have been somewhere around '58, '59, '60.

RM: And she'd been born in . . . ?

CH: She was born in 1880, on Groundhog day — February 2nd.

RM: So she was getting up there.

CH: Yes, by 1960 she would've been 80. I know I was in Mexico or somewhere at that time. I bought the ranch in 1951 and by something like '57 or '58 I leased it for 3 years and went back to school. It was during that period, I think, that Emma passed away.

[I don't think I told you last time about the] extreme drought we had in 1954. We were still having plenty of trouble here; it was terrible.

RM: How long did that drought last?

CH: About 3 years. I don't remember if that was the second or third year of the drought, but we gathered about 800 head at Cloverdale and I think we shipped one load to Los Angeles and it didn't even pay the freight. They were dying of sanding up and that sort of thing. I don't know if

you've run into that experience. When cattle get near starving, they will lick the leaves of the brush as they fall on the ground and the wind curls them up into little piles. When the cows lick those little tiny little bits of leaves on the ground, they'll get enough sand and they'll eventually what we call "sand up," and they'll die.

RM: Oh — their stomach will fill up with sand.

CH: Exactly.

RM: And it doesn't pass on through.

CH: That's right. So a lot of those cattle were dying of that. Probably nearly half of that herd, or at least a third of them, were in dying condition.

RM: Could you discuss again some of the challenges you faced in putting it together and holding on to it?

CH: I had no family, no finances, no help. I just had to blood and guts it through; it was tough. I survived it and then sold it out. But I was fortunate, in that being as young as I was, with no financial backers or anything, the Nevada Livestock PCA (Production Credit Agency) believed in me — I suppose because I knew the range, and I knew the country. And they must've believed in my integrity and honesty and so on. So they made the original bankroll. They bankrolled me with a hundred-some-odd thousand dollars. The old man who was running the PCA at the time was really a great person. I can't remember what I paid for the ranch at the moment, but I know that Emma left a note and first deed of trust on the ranch for a considerable part of the purchase. And he put up the rest of the money.

RM: Was Production Credit a government entity?

CH: It's a private enterprise that was formed after the Depression, using federal money. It's like the federal land bank. A group of farmers join together, and they take stock out in the organization. And then they borrow. They take stock in relationship to what they borrow. If they follow certain rules and regulations and so on, then they take it to the federal land bank and get their funds.

Money was cheap then; I think it was 3-3/4 percent. And I can recall Emma lending me \$75,000, I think, of the original purchase price at 1-1/2 percent. She carried that, rather than making a loan to me. That's how I put the first one together.

One challenge was that I wasn't very well educated. I didn't know very much. When I was cowboying for Emma, from 1946 up through 1951, I'd go back to college in Reno for a semester. I'd go up and, say, take the spring semester off or a fall semester. So I did get a couple of semesters in before I bought the ranch, but being that age, and not having enough experience, it was a difficult learning process, you can bet. had to educate myself in every way, from bookkeeping to accounting to loans. I didn't even know what a corporation was when Howard and I formed the first one.

I borrowed, then, a lot from sources. Those were difficulties. I borrowed \$290,000 from Howard Smits of Pacific Iron and Steel. And I borrowed from Mutual of New York and so on. I was on borrowed money and I hadn't inherited anything, and I would have to leave the ranch a lot and go and try to seek out lending, you know. So I did. I was successful.

CHAPTER ELEVEN

CH: I borrowed \$150,000 from one insurance company in San Francisco.

RM: Would that be through the corporation?

CH: Actually, that particular loan I bought when I bought out Howard Smits.

RM: Oh, you bought him out.

CH: Yes, I bought him out before very long.

RM: How long was the partnership?

CH: He wasn't in but 3 or 4 years, something like that. My attorney, Gordon Shelly from Reno, bought in with a small interest, and he helped put up some money. To go back to your question, the biggest challenges were trying to run a ranch — ride around the clock and gather cattle and work — and then try to keep the financing going and survive — that sort of thing. I was fortunate to have some friends who helped — Lee Henderson from Tonopah was a great help to me, and a few other people gave me guidance and help. I survived by working and finding financing, and began to grow and build and improve the ranch. I put \$1 million in those ranches over a period of time — pipelines, and a 5-mile concrete ditch at Twin River; then I had lots of land in production. Ultimately I sold them out. I had also bought my attorney back out, so now I was the sole owner. As I told you the other day, I sold a 25-percent interest to some people from down in Imperial Valley and then sold another 24-percent interest to the same basic group. They were a group of very wealthy cotton farmers.

RM: What were their names, again?

CH: The 2 leading figures were Talfourd Winn and Alice Denman. Her husband, Tom Denman, came into the picture later on. But Talfourd and Alice were actually the driving force behind all this. They bought up a 49-percent interest in the corporation and we operated for 2 or 3 years and then they demanded an audit of the corporation's books since its inception, which had been way back in 1954. I told you that story last time.

RM: What did the Wine Glass consist of when you kept it out of your RO sale?

CH: I had transferred the forest and BIM range to the RO headquarters, so there was nothing left here but 640 acres of land. And that's all there is to this day. I did not want any more open range. I transferred it away and I have never had any since. I predicted in 1965 that the open range was a thing of the past; it was finished.

RM: What made you predict that?

CH: Oh, just slow but increased intervention and growth of the federal agencies. The number of state and federal agencies was unbelievable. The Forest Service began to harass us and tag our cattle and bug us, and a series of things led me to believe . . . and I could sort of feel the climate — that livestock was not very popular on public lands. That was long before FLPMA and before some of the environmental groups were dominating Congress. It just appeared to me that the federal agencies were cutting people off public lands right and left, making demands upon us to reduce the time or numbers or whatever.

Mutual of New York came out here because I had some huge loans with them. When I kept the Wine Glass out, I think I put a \$90,000 loan on it. We were riding up the canyon here to look at the source of irrigation water for this ranch, and I'll never forget, one of the men in Mutual of New York said, "All right, Carl, you can tell us the truth, now that you've sold out. You've got it made, you don't have to worry. What is the future of the open range? That is, the forest permits." You see, the insurance companies were lending 20- and 30-year money, and a lot of these ranches were sometimes 80 and 90 percent dependent on those ranges.

I said, "Well, you want me to tell you in 2 words?"

They said, "Yeah."

I said, "It's finished." [Chuckles] "Open range is finished."

RM: In 1965. So damn near 30 years ago, you saw it coming.

CH: I never had one thing to do, again, ever, with the range. We're seeing the final end to that prediction in 1965. There's no question about it.

RM: How is that end coming about, and what's it going to look like when the end is here?

CH: It's kind of difficult to put into words, because being an old-time stock man, a cow man, a range man, I believed in the open range, loved it; it was a life style, and that sort of thing. It's hard to put in a few sentences, but the Congress in general, and the people of the United States, decided that they had a lot of land out here. They think of it in terms of, "This is our land." Our predecessors, as you have learned, settled it and spilled their blood and it was theirs. But nonetheless, they did not acquire grazing rights. They called them grazing rights, but the United States always called them privileges. So it was like a license. And case after case after case in the courts began to show that this is federal land. Most of the federal courts began to say, "Look. You're at the will of the United States, and if they want to throw you off, they will. It's a license, it's noncompensable."

RM: Noncompensable means . . . ?

CH: Means they doesn't have to compensate you anything for it; they just take it. If they want it, they'll just take it. And at the same time, an entire mood across the nation takes place. There's all this land out here, and they kind of look at it as if it were a national park or something; federal property. I don't think "environmentalist" is really a good word, because I think we're all environmentalists. Certainly those of us here are. I mean, we're more concerned with our environment than all the city people I've ever known put together. But they call

themselves environmentalists, and I'm sure that the basic core of those people is genuine and sincere. I think that they're concerned about the purity of our air and water. But somehow or another, some sort of a mood takes place that cattle are destructive to federal property. And there was overgrazing. You can bet there was; plenty of it. A lot of harm was done in the early days, particularly by the sheepmen and cattlemen, even way back in the 1890s. It was terrible.

Well, one way or another, FLPMA comes on board — the Federal Land Policy Management Act of 1976. By this time, these so-called groups of environmental people have the dominating vote in Congress, and they pass the beginning of a series of these acts that are going on today, from FLPMA to endangered species to clean water acts and so on. All of these things, as I interpret them, are probably excessive, if not distorted, views of the environment. Or at least there's an element of [distortion to them]. But it's like anything else in politics; it's hard to say where reality begins and where a fad or some sort of a rabid enthusiasm takes over.

A lot of these people are, of course, noncountry people; they know nothing of the country whatsoever. They're city folks. They come out here and drive around in the car and they say, "Look at that! This land belongs to us — the United States. And there's that awful entrepreneur out there, that rich rancher, and he's got these cattle and he's bleeding us to death and he's ripping us off and he's carrying off our feed." Without writing a whole book on the damn thing, it looks like . . . this started a long time ago. Actually it started in 1891, when the Forest Act itself was put together. It was put together by environmental-type groups in New England states. [So the mood change was] a slow evolution over the course of time — "This land belongs to us, and we think the stockmen are abusing it."

And the stockmen never did what the farmer and the miner and the timber and mining people did — they never got laws on the books. They never really got legal control of the grass, like the timber people got control of the timber (in part, at least) and the mining people got control of the minerals. At least they had a hell of a lot going for them that they could fall back on. We never did that. And most of our early predecessors in lawsuits and that sort of thing simply pled their cases improperly. And we wound up where we are today, which is, in general, feeling — and you see this mostly with the Forest Service — that they believe the livestock are destructive to the land.

And it appears that way a lot of times. You go out on the desert, on BLM land, and see a little water hole, and obviously the feed is eaten off around there. And up in the mountains, the riparian areas and green meadows are where the cattle want to stay. So they'd sleep there under the willows and near the water, and in the environmentalists' eyes they mow this feed right down, and that's destructive. In their minds, they like to see a lot of waving grass blowing in the breeze. These are mostly aesthetic and other concerns.

I don't think there's much scientific evidence to back it up, except in the case of extreme overgrazing, which is destructive, for the most part. More and more city people want to come out here to play — to hunt and fish and hike and this and the other. The power source has moved to the cities and to the environmental groups. As a result, we are finished.

Where I saw 5000 head of cattle, myself, personally, when I was riding as a young man, I now see 800. On an allotment where I saw 400, I now see 40. And so on. Well, you can bet that you cannot survive; no ranch that's predicated on a purchase price that has a debt or anything else . . . you can't reduce it and survive. So they're just falling, one by one. The RO, for example, today is held by the Wilmans. They're running 3000 head today on what all of my records

conclusively show used to hold somewhere between 10,000 and 20,000 head, besides that many sheep as well.

RM: Is that right? Was that when you had the ranch, or in 1900?

CH: Well, the massive [reduction in] numbers of sheep — from 30,000 head down to, say, 5000 and 10,000 head — had all occurred long before I came on the scene. There were probably only 5000 head of sheep by the time I came here, and probably 15,000 head of cattle. Now there are 3000 head.

RM: And how many sheep?

CH: One band, I think, of a few hundred head, that graze along the top of the Toiyabes, and that's all.

RM: Is the range better now?

CH: Unquestionably so. Now, this is our fifth year of a drought.

RM: Something like that, yes.

CH: I've only seen 3 years of drought before. And that third year was just a real disaster because we were running more cattle then. Yes, the range is incredibly better than I've ever seen it.

RM: So how do you view the validity of the environmentalists' arguments?

CH: It's not valid.

RM: But if the range is better . .

CH: That is simply not a valid argument by itself. You have to put it in terms of what your goals are. In other words, if you tell me, "Well, I see this beautiful forest up here, and I see those beautiful streams, and there's this nice little meadow and this little green down there, and that's the way I want to see it." In other words, "I want to see grass." Because the grass does a lot of other things besides feed cattle. It creates a habitat for little animals to live in, and birds and birds' nests and so on. And there's some protection to the soil. There are a lot of other reasons why — it maybe helps the stream banks, and it maybe discourages erosion; there are a whole bunch of other things. It's not just the cow.

RM: So if that's your goal, you say they're valid.

CH: Once you set up a standard, or a goal, you can make almost any means to get there. Obviously, if you're going to set up that kind of a standard, you don't want livestock there; not one. They ignore the fact that the forest fires [occur] on these areas where they've removed

livestock altogether. Look at Yellowstone and some of these nightmares. There's some scientific evidence — and I've had occasion to talk to a lot of people in the last few years about it — that some grazing actually is very desirable to the grasses and the plants.

I see it as an ongoing war initiated by a bunch of pseudoscientists. And I don't think there's any end to it. Not, particularly, when you've already decided in your own mind what you want to see. If you have, then you're going to eliminate livestock.

There's one formula that has, and will, wipe the livestock off of the range in the forest — Del was telling you about this the other day. And BLM is the same in the sense that it also has a formula. In 1986, the Toiyabe National Forest plan went on board, pursuant to the dictates of FLPMA. That plan called for certain forage maximum utilization percentages. It said, in so many words, that in the bottom lands, in the riparian areas, in the grass and meadows along those little streams, when the grass has been utilized, or eaten down, to a maximum of 55 percent, the cattle have to get off. Well, the riparian areas consist of only 2 percent of the entire allotment. So when they say that, they say that when 55 percent of 2 percent of the allotment is used, the cattle have to be removed from the entire allotment. Now, the cattle will not leave those riparian areas by their own nature until they've eaten it off by 80 or 90 percent; till they can't eat anymore. A cow's nature is to eat 80 or 90 percent of the feed, but they never take it down to the dirt. So the immediate and consequential reduction of livestock, when they honestly go out and look at and enforce it, is reduced to 90 percent instantly. It was not enforced here until 1990. The plan went on in '86 but the first utilization studies were made in 1990, just a couple of years ago.

There were early removal orders here and in Austin and then all over the RO lands. That told me that that was the end of all livestock. You cannot operate on 2 percent [of the land]. And when you go up on the forest, remember that you are obliged to maintain all the waters, the fences — all of the things that go into a cost. So it is now prohibitive to operate on the forest. The RO, as of today, has taken nonuse.

RM: They're not using their range?

CH: They took nonuse on all the forest range for this year.

RM: What does nonuse mean? Is that a special term?

CH: You're permitted to take up to 3 years for nonuse, and at that point if you don't do something with the land they have the right to take it away from you.

RM: So we're coming down to the bitter end, here, on it?

CH: That's the end; you're seeing the last of it.

RM: Tell me how that's going to affect rural Nevada, and what that will do to life in Smoky Valley and so on.

CH: Well, when the mines leave . . . and they will, as soon as they're depleted again, as they always have when [the price of] gold drops or they run out of reserves. When the mines are gone, we'll go back to just nothing here. We won't even be a semblance of what we were. You'll have a little tourism from the towns, Tonopah people and so on. But income, population, taxation — everything will be reduced.

RM: So there won't be people living here, to speak of.

CH: No. You can't even make it. I don't know what kind of products you can make on these few little bits of oases here. As you know, private land is less than 13 percent in this area, I believe. There's just such a small amount of private land, I don't see anybody making much of a living. Maybe you'll have a few people who have retired, or wealthy people who can afford to come here and get away from it all. I see Nye County, when these other things go away . . . if it weren't for tourism, or maybe some government activity or something like that, you'll see the outback country. It can't make it.

RM: How does that make you feel?

CH: It's pretty hard to . . . it's just change, that's all. I've read the great historians — The Rise and Fall of Rome and all these other things; I think it's a tragedy. It's a terrible tragedy. When you believe in an old, obsolete institution like the range world was . . . I loved it, and I still do. But it's gone; it's changed. I also think it's unjustified. The change is not really [based on] sound thinking. Who knows, sometime, somewhere, there may be some return of grazing on the open range. But as I see it now, it's vanished.

RM: What will happen to properties like your place here, with your meadow and everything?

CH: I can envision this as being a little farm kind of thing, and that's about it. You can produce a little bit of feed and raise a few livestock.

RM: And some others up the valley?

CH: Just a few postage stamps, so to speak, among a sea of federal land, that will be producing some small amount of beef and a few vegetables for their own use. It's beyond my imagination at this time to think of anything else that could take the place of livestock in the economy. We'll simply be reduced to little or nothing.

And that means all of the labor and taxes and cattle . . . let's take an example like the RO. Where you used to have 15 or 20 people, or 30, on the payroll, you'll have a fraction of that. What the taxes would have been on 10,000 head — 5000 to 6000 mother cattle and all the rest — will now be based on 1000 to 2000 head. It depends on what happens.

RM: What was the RO paying the county in taxes in its heyday?

CH: It was unbelievable. I know I was the largest individual taxpayer in this county when I owned the RO other than mining.

RM: What were you paying the county?

CH: I don't remember exactly, but something like \$25,000 to \$50,000 a year.

RM: Is that right. And what would it be in the future?

CH: Right now they're paying that much, because they've still got enough holdings; they've still got some cattle. When they took nonuse on the forest range they went out and rented some other ranches for this summer. But when the collapse comes, it'll probably be 20 percent of what it was.

RM: What percent [of tax revenue] do the ranches represent to the county? Is it a big thing?

CH: I don't think it is now. I think your mining is the heaviest, and there are other income sources, and some tourism. I don't think it's that great anymore. But before the mines reopened, when I started in here, we were it. We'd go down to Tonopah and let me tell you, when the rancher came to town, the stores thought it was great. We really had something going; we were an important segment of the economy. But we don't mean anything anymore, I'm sure. Of course Tonopah's now got quite a little bit of tourism, and there are government activities going on and the mining, of course, is unbelievable. I assume it's great with all the bullion tax — I don't keep up on that.

RM: They're not getting as much from the mining as you might think. The county, I guess, does OK, but the state get 1 percent.

CH: Oh, my. I'm not statistically informed on that. But I do know what will happen to the economy of Nye County. There's hardly any farming at all. We don't do much other than just livestock. There's a little bit of hay that's sold and shipped out of the county, but it's small.

RM: Do you see the possibility that these pastoral places like yours up and down the valley and other valleys will become little communities through subdivision? That they'll be bought by people escaping the cities and, if maybe not occupied full time, at least part time and so on? Do you see that as a future option?

CH: I did, at one time. I don't see that at all much anymore, because I think that with rare exceptions . . . we've had some exceptions here. We've had a lot of subdivision. There's been a lot of abuse in subdivisions; I think the regulatory agencies are really closing down. It's nearly impossible to subdivide even a few parcels right now.

RM: Is that right? But that's a county affair, isn't it?

CH: Not anymore. When you go to the county now to file a parcel map, they'll send it to Carson for clearance before they even give you a parcel map. That means it has to clear all of the regulatory agencies, such as came to town, the stores thought it was great. We really had something going; we were an important segment of the economy. But we don't mean anything anymore, I'm sure. Of course Tonopah's now got quite a little bit of tourism, and there are government activities going on and the mining, of course, is unbelievable. I assume it's great with all the bullion tax — I don't keep up on that.

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CH: Not anymore. When you go to the county now to file a parcel map, they'll send it to Carson for clearance before they even give you a parcel map. That means it has to clear all of the regulatory agencies, such as the health and this and that and the other. I see it as nearly prohibitive. It takes forever. I was instrumental in putting in one subdivision.

RM: Yes, Del told me something about the Kingston subdivision. Has that been successful?

CH: No, that's a failure, as far as I'm concerned. It goes up and down with the mines. I think it'll probably be OK eventually. I can answer your question in the sense that it will be filled up, yes. I think every little piece of cheap land . . . when you're talking about an acre lot that you buy for, say, \$7000 or something, compared with almost anything from where you are [Las Vegas] where they start at \$100,000 or some terrible number . . . They will sell slowly, because there aren't too many people who want to live out here, but eventually I think every acre of land will be picked up and used, that can be.

RM: Maybe that's the future of the valley, then.

CH: It could be. It could be somebody's retirement or something. It's very slow now; Kingston isn't doing anything. It's just a matter of time. I mean, when you talk to anyone who goes and buys some land . . . the other day when we landed in San Diego, some folks wanted to go with us just to see some little houses. We were looking at hovels, starting at \$170,000. And here, you could have really a nice place for \$40,000 or \$50,000. I mean, nice.

RM: Right.

CH: So I think in time you'll see everything that is available [being sold]. But there's no income other than the mines. That's what's supporting a lot of people now.

RM: What about retirement and people working out of their home, and things like that?

CH: Possibly. That's a little bit far-fetched for me to guess when that would happen. But as the rest of the country's prices rise, we'll see them coming here, I guess.

CHAPTER TWELVE

RM: How do you see the wild horses fitting into this equation?

CH: [Chuckles] That's a pretty well-known story. As you know, I rode here and was raised here, and gathered and even caught wild horses when I was young, and there were very few wild horses left then. The wild horse, to me, is an animal that somehow or another escaped the Mexican Spaniard. There were very few of those left even when I came here in the 1940s. The horses that you see out there now are for the most part inbred results of horses that were left by ranchers, abandoned by miners and so on. Everybody knows what a mustang really is supposed to look like — little head and small — but they were all inbred. The other day I was flying and saw wild horses down by Tonopah, with paints and stripes. There wasn't one horse out of a hundred that even resembled the original mustang. So what you've got are domestic horses.

All this is just a giant joke — Wild Horse Annie and all. There are some great ideas behind it, but for the most part these domestic horses, having once gotten the label of native wild horses, and being protected, are creating a real problem. The BLM is absolutely beside itself. They haven't the remotest idea what the hell to do. They can't feed them, they can't take care of them, they're multiplying; they're devastating the range themselves [while other forces are] driving the stockman off. It's just been one giant fiasco. And it's nothing but future disaster.

Down on the BLM lands, the grazing is nearly impossible. One of the best feed areas of the RO right now is down by Lone Mountain, and you might as well not even take your cows down there anymore. There are just hundreds of them now. They're trying to raise money and catch the horses. But of course that also becomes a great comedy, because you have to gather all the horses . . . talk to a BLM man [if you want to talk to someone] who really has had it. You have to gather all the horses, and you can only take certain ones, and you have to turn the rest of them back. And then you've got to try to adopt them out, because you can't kill them. And nobody wants to adopt them. So you put them in some giant pile somewhere — Palomino Horse Ranch or something like that — and start feeding them hay. It's just turned out to be a joke against the entire system.

While we're talking about these ranches, I could run through a couple of the others. [In the following, Mr. Haas is going through a series of documents.] We pretty well discussed the Wine Glass itself.

RM: Did we talk about who originally came in here?

CH: No, I guess I didn't. We'd better talk about him A. H. Wilson, in 1863.

RM: Do you know anything about him, who he was or anything?

CH: A little bit. I've done a lot of work trying to find out. This ranch was the Cold Springs Ranch, adjoined immediately on the north by the Hot Springs Ranch. The map I've got is October 9th, 1863. The RO was surveyed in November.

RM: So this one was better because of that nice meadow out there, probably.

CH: Possibly; and because of the hot springs. The Hot Springs Ranch was originally founded by 12 or 15 people.

RM: Was the Hot Springs the first ranch in the valley to go?

CH: I don't think we can tell. I think they were all within 2 or 3 months of each other. I can't read all of these names, but there were about 12 or 15 people who founded the Hot Springs Ranch. And then A. H. Wilson founded this ranch; the Cold Springs Ranch. And there's kind of a silent partner that we ran into later, a J. B. Foster. In 1875 he finally showed up as having been with Mr. Wilson when he founded it. Then it was just Wilson and his wife, and I don't know a lot about them. I've checked out the chain of title. The Darroughs at one time owned this ranch, James T. Darrough. He sold it to Annie E. Lamb. Then the Moores came in, and then finally the Rogers bought it, and you know the story from then to this day. I can't think of anything else to say about the Wine Glass. It's a great little place; a pretty little place.

RM: Yes, beautiful.

CH: Six hundred and forty acres, with 23 springs, as well as the mountain water that comes down.

RM: What canyon waters it?

CH: Broad Canyon. Devil's Canyon does run at times, and supplies the springs. This little ranch is probably the most productive place per acre in the valley. We have 500 mother cows out there. Not year-round, but....

RM: How many cows could you run year-round, if you didn't want to buy any feed or anything?

CH: Oh, 200, 250, maybe.

RM: Is that a living — 250?

CH: If you do all the work yourself, and keep everything down—yes, you can make a living on it. Just barely. And we're talking about maybe raising a garden and having chickens and milk cows and all the rest of it. Yes, I think you could. That's about minimum, because the operating costs are so small here. We have one additional feature that a lot of little ranches don't have — we drilled a well and found hot water. It's 128 degrees. That actually is going to help in time, when we get enough money — we'll heat our houses with it. It actually helps the irrigating in the winter, too.

RM: Oh, it keeps the ditches open?

CH: Yes. We've done a lot more research work on the ranches north of here, [and we find] names like King, John Jett, Greenhaugh, people like that — we're familiar with most of those founders. There are a lot of ranches in all 3 valleys --Smoky, Monitor and Reese — where we have a heck of a lot of detailed information on the original founders. A certain fellow comes into the country, he settles it, and then he gets a title and so on. What is interesting, I think, and different, are the lower ranches in Lower Smoky Valley.

You may recall that I talked about a personal opinion of mine — have reason to think that before the settlers came into Austin, or certainly at the same time — maybe before — there was a trail from Mono through to Lone, a southern trail. I believe that the settlers were already coming in by way of this southern trail. The Liberty Mine was operating with 600 Mexicans very early.

RM: Are you sure of that 600 figure?

CH: No, I'm not. I heard it from the mining author Stanley Paher. I think he used that figure, but I have to say I can't confirm it. That's an awful lot of people. At any rate, there are a few things I can confirm. Cloverdale and San Antone were on the Mono Trail. And that was prior to Austin and all of the northern Smoky Valley ranches.

RM: I've done a little research on this since I talked to you. Aurora was 1860, so . . .

CH: Actually, that's what I'm getting to. Aurora was supposedly the county seat of both Mono and [Esmeralda] counties. That's when our research led us to Aurora, which led us to Bridgeport, where we think the records are.

RM: Thompson and West, which was published in 1881, says that the Lone Mountain and San Antone mining districts were discovered by Mexicans. And also the Barcelona district over here was discovered by Mexicans who were coming out of California and not out of Austin.

CH: That's what I firmly believe; and we've still got more work to do. The first document we find at Cloverdale is a power of attorney from Morgan to T. Ellett in October of 1865, which shows Morgan was in the area at that time. The power of attorney talks about Morgan having real estate interests and mining interests. (Thomas Morgan later, when he sold out, had the Morgan Ranch in Monitor Valley.) But we know that a heck of lot had happened before then.

RM: How do you know that?

CH: You have to piece it together from 3 or 4 places. Let's jump quickly to San Antone and see what San Antone was. The first document that I had . . . W. L. Stevens has a document here in San Antone, and San Antone was called Indian Springs. This is December 14th, 1863. At first glance this might lead you to think, "Well, gosh, here they are up in northern Smoky Valley, and they're down here in southern Smoky Valley." They were using the water from Peavine Creek.

RM: Did Peavine run down that far?

CH: Oh, Peavine ran there. In fact, we think that the way station at San Antone was formed there to serve the Liberty Mine, and was on the Mono Trail. Stanley Paher talks about that — it was a 20-room boardinghouse later on that the Rigby brothers put up. OK, both these sets of documents talk about Cloverdale and San Antone being on the Mono Trail.

RM: And that went from Mono to where?

CH: In through here to Liberty.

RM: Did it go to Aurora?

CH: Yes. It came from Mono to Bodie to Aurora to Cloverdale to San Antone, and then Liberty and then at some point, Belmont. Belmont was connected to that trail. The Belmont trail does not come from the north. Not at all. Not as we can piece it together.

RM: So lone may have been discovered from the west rather than the north?

CH: Very much so.

RM: That's interesting.

CH: San Antone, Liberty. And then, I believe, Belmont. I can't tell whether Belmont was founded from off of that trail or off the northern trail; that's the thing that bothers me. The San Antone Ranch was founded in 1863 by W. L. Stevens, A. C. Davis, Alexander Cook, C. C. Sears, S. P. Courier and Lyle Courier.

RM: Why did they have so many founders?

CH: They were pretty much limited — the law itself in 1865 limited them to 160 acres per person.

RM: Oh, so they'd go in together.

CH: A lot of them, with their buddies, would all get together . . . even their employees. Or somebody would say, "Hey, you file in your name for 160 and then I'll later buy you out." So a lot of people, I think, fronted for other people. These people filed the map in December 1863 at San Antone. It was originally called Indian Springs. Later they formed a little townsite there, and the Rigby brothers put in a mill there, and a 20-room way station. The Rigby brothers had care from New York and from Virginia City.

Anyway, when I found the Mono Trail description in documents about Cloverdale, the 1870 tax records in Nye County, under Thomas Morgan, and we compared that with the money paid for the ranch, which showed that farming was well under way, it led me to believe that

Cloverdale was an active little way station and farm and ranch, and that San Antone itself was active before 1863. And there's the connection with San Antone

Liberty. I can't sign my name and swear to all these things, but we have traced the documents. We think we can find a little more material on it in the cellar or garage of the lady in Bridgeport, California, who we told you about previously. I think they will help open up the connection between Cloverdale, San Antone and Bodie and Aurora. Because they were on the Mono Trail.

RM: It really makes sense, because Aurora was a big town in about 1862.

CH: You bet it was! And they didn't even throw the rock at the mill or chase anything in Austin — you know, the stage driver. It was '62 before he even found . . . and then it was early in '63 before Austin started moving at all.

RM: Aurora was also a place of outlaws; it was a wild place.

CH: Absolutely. Here's something interesting — when you took office, you had to swear loyalty to the United States [even though Nevada was not a state]. And also, you had to swear that you have never been and never would be in a duel.

RM: Is that right!

CH: Yes, in 1863 you had to swear that you were not a duelist.

RM: Is that right. They were trying to eradicate duelling, I guess. [Laughs]

CH: In 1870, Thomas F. Morgan, who we've already been tracing since 1863 or whatever, had ". . . 2 horses, 7 hogs, sow, pigs, 2 milk cows, 4 yearlings, possessory claim to a certain claim to a certain tract of grassland situated on the road between Belmont and Mammoth known as the Cloverdale Ranch, with the improvements thereon. Also one livery stable in lone, south side of Main Street, adjoining the old Sylvester Store." By '70 Belmont's in business, and, of course, lone. Morgan had a livery stable there. OK, that's one thread. All we know, it was on the Mammoth road. That could tell us that the road occurred between there and Mammoth later, but that's not . . .

We've got more information early on. The subdivision in the town of San Antone had a name — it was an intended town. They must've thought it was really going places. (A lot of those things were promotional, too. They'd go back to New York and sell stock in the town or something like that.) A lot of this that I'm looking at is the millsite and the town at San Antone. The dollars in gold exchanging hands here were not very much, if anything. The original town in San Antone was called Springfield. It was a square block of land, I believe a mile square, cut out and set aside to became a town. It never really materialized.

RM: Oh. What year was that?

CH: It's 1868.

RM: So by 1868 they're talking about a big town.

CH: Yes. And the prime movers in that area were the Courters Sylvester and Jay Courter - and W. L. Stevens and the Rigby brothers. Courter paid some taxes in '72 on a ranch situated at Indian Springs, and of course we knew that to be San Antone. We're just going to have to find the documents that say that Cloverdale and San Antone were founded off of the Mono Trail and not out of the so-called Austin-lone boom, and that there were Mexicans already there, working at Liberty.

RM: It could be that lone came off of the Mono Trail.

CH: That's right. I guess that's about the best we can do. Another thing that leads us to believe we're right is that up in Peavine Canyon the earliest agricultural maps or surveys we can find are from 1868.

RM: Is that right. That seems kind of late.

CH: Why would you have all this activity going on down in San Antone . . . and we think there was a different emphasis. We know the water was running and being used in San Antone at that time. So in that sense, they acquired a preferential use, or a first in time, first in right use, down at San Antone. One of the early founders of the Peavine Ranch was a man by the name of F. St. Louis.

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